

## **DEAN RANCH MIXED-USE PLANNED DEVELOPMENT**

The Dean Ranch Mixed-Use Planned Development District (hereinafter "Beall-Dean") is intended to promote the creation of mixed-use development consisting of commercial and/or retail, restaurants, office, various types of residential housing, light industrial, and open spaces. Beall-Dean is designed to encourage and permit a wide range of integrated land uses within a framework of public streets. The intent is to accommodate a range of compatible land uses, mixing employment opportunities with housing, retail, and service uses. Beall-Dean emphasizes control over the scale and urban form of each building, such as building setback, size, and height as well as the relationship of development to the street, street landscaping, and other characteristics. Beall-Dean will utilize architectural design elements will be portrayed throughout Beall-Dean. Chain retailers and restaurants will incorporate the paving, lighting, landscape, and site furnishings found throughout Beall-Dean. The consistency of elements will enhance and epitomize the overall character of the development.

The purpose of the residential component is to provide suitable areas for the development of residential housing in the form of urban residential units. The development will be designed in an architecturally unified manner and provide adequate vehicular parking and circulation needs for both vehicular and pedestrian means of travel.

These Dean Ranch Mixed-Use Planned Development District Standards (hereinafter the "Planned Development Standards") define the regulations applicable to new development within Beall-Dean including its sub-districts, park area, and wetlands preserve area. The PD Development Standards are intended to ensure the provision of a quality planned development over time.

Beall-Dean is envisioned to be a contemporary mixed-use development comprised of a pedestrian oriented residential and commercial community which provides traditional destination retail and restaurants. In this fashion, Beall-Dean enhances community opportunities for the City while at the same time enabling the City to serve regional needs.

## PLANNED DEVELOPMENT STANDARDS

### 1. Definitions.

- a. Accessory use means a subordinate building having a use customarily incident to and, except as otherwise provided below, located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.
  - i. An amenity center or clubhouse may be located on a separately platted lot from a multifamily residential or single family residential main use.
- b. Conceptual Plan means the Conceptual Plan attached as Exhibit B, as amended in accordance with Section 3.
- c. Site Plan means a PD Site Plan as referenced in Section 14.10.007 of the Zoning Ordinance. A Site Plan as defined herein does not mean a Conceptual PD Plan as referenced in Section 14.10.004 of the Zoning Ordinance.
- d. Property means the property depicted and described on Exhibit A.
- e. Townhome means a single-family dwelling which is attached to one or more similar dwellings by a common fire wall or fire walls, and which in combination with the attached dwellings constitute an architectural whole, located on a separate lot, and having its principal frontage on a street. Such dwelling units when constructed may be under separate ownership. The term townhome does not include a dwelling unit located above another dwelling unit. Townhomes are not included in the definition of a multi-family dwelling.
- f. Zoning Ordinance means the comprehensive zoning ordinance of the City of Willow Park attached as Exhibit D.

2. Applicable Regulations. Development and use of the Property shall comply with the Zoning Ordinance, as amended by Ordinance No. \_\_\_\_\_ establishing these planned development district zoning regulations. In the event of a conflict between the Zoning Ordinance or any other City ordinance, rule, or regulation and these planned development district zoning regulations, these planned development district zoning regulations shall control. With the exception of the Zoning Ordinance and these planned development district zoning regulations, no other zoning regulations shall apply to the development or use of the Property.

3. Site Plan; Future Approvals.

- a. Development and use of the Property shall generally comply with the Conceptual Plan. A Site Plan shall generally comply with the Conceptual Plan. However, actual building footprint location may be altered and parking areas, drives, access points, and other internal infrastructure may be adjusted as to size and/or location to serve actual building location and development provided that each planning area shown on the Conceptual Plan maintains roadway contiguity as shown on the Conceptual Plan.
- b. A Site Plan may be amended from time to time, and administratively approved, provided each planning area shown on the Conceptual Plan maintains roadway contiguity as shown on the original Conceptual Plan attached as Exhibit B. City approval of a plat confirms the Site Plan amendment. Once the city approves the plat, the Conceptual Plan attached as Exhibit B is automatically amended consistent with the approved plat.
- c. Any revision to the Site Plan that does not meet the requirements of Section 3b shall constitute a zoning amendment that requires compliance with the procedures for a change in zoning.
- d. When the Site Plan is amended pursuant to Section 3(b), the Developer shall file a copy of the updated Site Plan that includes the date of the amendment with the Planning & Development Department and the City Secretary, and a copy of the amended plan shall be included in the City's official files for this planned development district.
- e. With the exception of a Site Plan amended in accordance with Section 3(c) of these Planned Development Standards, review and approval of a Site Plan in accordance with Section 14.10.005 of the Zoning Ordinance shall not be required. The Building Official shall issue a building permit provided that the permit application, including the Site Plan, demonstrates compliance with these PD Development Standards.

4. Base Zoning Districts. Each planning area shown on the Land Use Conceptual Plan attached as Exhibit C shall have a base zoning district as follows (base zoning is defined as the zoning classifications adopted by the City of Willow Park that are in effect as of January, 2024, per Chapter 14 of the Zoning Ordinance:
- a. The base zoning district for the commercial (C) planning area shall be "C" Commercial District and allow for uses in "O" Office District and "LR" Local Retail District.
  - b. The base zoning district for the multi-family (MF) planning area shall be the "R-3" residential Multifamily District.
    - i. In the multi-family (MF) planning area, the following mixed uses are permitted by right: multi-family, single family detached homes, accessory uses (such as, but not limited to: pool cabana, maintenance garage/workshop, detached garages) and the business (LR) Local Retail District. A maximum of 1,800 multi-family dwelling units are permitted in the multi-family (MF) planning area.
  - c. The base zoning district for the single family (SF) planning area shall be "R-5" Single-Family High-Density District.
  - d. The base zoning district for the Industrial (I) planning area shall be the "LI" Light Industrial District.

5. Development Standards. Development of the Property shall be subject to the development standards for the applicable base zoning district, as set forth in the Zoning Ordinance, except as follows. Any change in use which is not an existing approved use per city ordinance shall require a Special Use Permit or city approval with recommendation by the planning and zoning commission and approval by the city council.

**a. Development Standards for “C” Commercial:**

The purpose of the (C) Commercial area is to provide development of approximately 135.2 acres of regional commercial, shopping, and office uses.

In the commercial (C) planning area shown on the Land Use Conceptual Plan as “C” attached as Exhibit C, the following uses are permitted by right: All use regulations and zoning standards as stated in City of Willow Park zoning Section 14.06.014 – Class III – Business: “C” Commercial District, “O” Office District and “LR” Local Retail District with the following changes:

- 1) Maximum height: Not to exceed one hundred and fifty (150) feet for “C” Commercial District.
- 2) Minimum masonry per section 14.06.014 (75%) with masonry being defined as brick, tilt wall concrete panels, natural and manufactured stone, architectural concrete blocks, concrete blocks, cast stone, stucco, and glass.
- 3) Data Centers shall be a permitted use with a Special Use Permit upon recommendation by the planning and zoning commission and approval by the city council. As part of the SUP application, water and sewer demands must be submitted.
  - a) Zoning standards of 14.06.012 Class III – Business “O” Office District with the following exceptions:
    - i) No data center building may be constructed closer than two hundred (200) feet from any lot plated to be for residential use.
    - ii) The permitted height of a data center shall be a maximum of sixty (60) feet.
    - iii) Floor space permitted to 750,000 square feet per building
    - iv) Parking Requirement for Data Center to be a Minimum of five (5) parking spaces.

- 4) Parking Requirement changes from Willow Park Zoning 14.12.001:
  - a) Amusement and Entertainment: Theater, cinema, sports arena, gymnasium, auditorium, athletic fields: 1 space per 4 seats or bench seating places
  - b) Retail, Services and Commercial:
    - i) Mortuary or funeral home: 1 space per 250 sq. ft. of floor space in parlors or funeral service rooms
    - ii) Retail sales (other than antique stores): 1 space per 250 sq. ft.
    - iii) Large Retail stores of 60,000 square feet or more: 1 space per 300 sq. ft.
    - iv) Veterinary clinic: 1 space per 500 sq. ft
  - c) Office and Professional:
    - i) Office center: 1 space per 400 square feet
    - ii) Office or professional business: 1 space per 400 square feet
    - iii) Real Estate office: 1 space per 400 square feet
    - iv) Personal services stores: 1 space per 250 square feet
  - d) Additional exceptions to the Willow Park Zoning ordinance can be made administratively by the City Manager.

**b. Development Standards for (MF) Multi-Family District:**

The purpose of the Multi-Family District is to provide suitable area for the development of medium density multifamily community that also has the ability to incorporate uses allowed in the “LR” Local Retail District. The purpose of this mix of zoning is to better integrate land uses to create a better community. Within the “MF” multi-family district the following uses that are permitted by right shall be multifamily, single family detached homes and accessory uses as defined by the uses found in the City of Willow Park zoning ordinance for Multi-Family Section 14.06.008, and all uses contained in the Local Retail District zoning Section 14.06.013 and the Office District zoning Section 14.06.012.

For purposes of applying the development standards herein the “MF” – Multi-Family District is approximately 91.7 acres shown on the Land Use Conceptual Plan as “MF” attached as Exhibit C.

Use regulations and zoning standards as stated in City of Willow Park zoning Chapter 14.06.008 – Class II – Residential: “R-3” Multifamily District with the following changes:

- 2) Any uses permitted in section 14.06.013 (Local Retail District)
- 3) Density: Maximum number of apartments dwelling units shall be limited to 35 units per gross acre.
- 4) Height regulations: Maximum height: 5 stories, not to exceed 70 feet.

- 5) Area regulations:
  - a) Maximum lot coverage by structure: 60%
  - b) Minimum building separations: 3 story 30 feet, 4 story 35 feet, 5 story 40 feet
  - c) Minimum front (and street) yard setback: 50 feet for 4 or 5 story building
- 6) Exterior construction and design regulations:
  - a) Minimum standard masonry construction: 60% of the exterior cladding of the structure with materials defined in the exterior construction design regulations in section 14.06.008 for stone and brick material.
  - b) Façade articulation (offsets) of not less than 4 feet in depth are required for every 100 feet in building surface length.
  - c) Patios can protrude more than 1 foot from surrounding building exterior.
  - d) Maximum multifamily dwelling width: No maximum
- 7) Parking regulations:
  - a) 1.25 parking spaces for each studio or 1 bedroom unit
  - b) 2.5 parking spaces for each 2- or 3-bedroom unit
  - c) 1 additional parking space per bedroom for any units over 3 bedrooms.
  - d) 40% of all required parking to be covered. 10% of the required covered parking must be garages with garage doors.
- 8) No Screening or fencing requirements
- 9) No Parkland Dedication Fee – Since the development will have excess land for open space and future trails, per the Conceptual Plan, the multifamily units shall not be subject to Park Impact Fees or Park Land Dedication.
- 10) Data Center shall be a permitted use within this zoning district with the following standards with a Special Use Permit upon recommendation by the planning and zoning commission and approval by the city council. As part of the application process, water and sewer demands must be submitted for review.
  - a) Zoning standards of 14.06.012 Class III – Business “O” Office District with the following exceptions:
    - i) No data center building may be constructed closer than two hundred (200) feet from any lot platted to be for residential use.
    - ii) The permitted height of a data center shall be a maximum of sixty (60) feet.

- iii) Floor space permitted to 750,000 square feet per building
- iv) Parking Requirement for Data Center to be a Minimum of five (5) parking spaces.

**c. Development Standards for (SF) Single-Family Residential High-Density District:**

The purpose of the Single-Family (SF) residential district is to provide suitable area for the development of residential housing in the form of single family detached (villas), single family attached (duplex and cluster homes), row houses and townhomes. For purposes of applying the development standards herein the “SF” – Single Family district is approximately 35.3 acres. Any fee simple residential housing may be located anywhere within the “SF” zone on the shown on the Land Use Conceptual Plan attached as Exhibit C.

Use regulations and zoning standards as stated in City of Willow Park zoning Chapter 14.06.007 – Class II – Residential: “R-2” Single-Family/Duplex District, Chapter 14.06.010 – Class II – Residential: “R-5” Single-Family High-Density District and Chapter 14.06.011 – Class II – Residential “TH” Townhome District with the following changes:

- 1) **Single-family** detached homes may be developed pursuant to the following standards that shall be the exclusive lot size, density, setback, building height, lot coverage, and living area requirements for a single-family detached home;
  - a) Single family detached homes shall be subject to the following masonry requirement:
    - i) The front elevation of each residence shall be 75 percent masonry, exclusive of doors, windows, dormers, and other architectural elements. Each side and rear elevations of a residence shall be at least 50 percent masonry, exclusive of doors, windows, dormers, and other architectural elements, except that a side elevation abutting a side street shall be at least 75 percent masonry, exclusive of doors, windows, dormers, and other architectural elements. For purposes of this paragraph, masonry means stucco, EIFS, brick, and stone,
  - b) Single family detached homes shall have a minimum roof pitch of 3:12.

- c) Required Screening. Rear and side yards shall be enclosed with masonry or wooden screening. Where the rear property line of a residential lot directly abuts a public street right-of-way, the developer shall construct a masonry screening wall along the full length of the rear property line and shall be maintained by Property Owners Association. Screening shall be a minimum of six (6) feet and a maximum of eight (8) feet in height. Screening poles shall be metal and set in concrete. All screening shall be uniform throughout individual subdivisions. Developments done in phases shall ensure that screening is complimentary in style and color. Fencing will not include a concrete footer.
  - d) Parking Requirement for Single Family (SF) Residential District:
    - i) Minimum off-street parking per City of Willow Park City Ordinance.
    - ii) A two-car garage shall be provided for each single-family residential dwelling.
  - e) Minimum lot size: 5,000 square feet
  - f) Minimum lot width: fifty (50) feet
  - g) Minimum lot depth: one hundred-five (105) feet
  - h) Minimum front yard setback: twenty (20) feet.
  - i) Minimum side yard setback: five (5) feet, except a corner lot shall have a ten (10) setback.
  - j) Minimum rear yard setback: ten (10) feet.
  - k) Maximum lot coverage by structure: 55%
  - l) Maximum building height: 35 feet and two (2) stories
  - m) Two car front entry garages are permitted.
- 2) **Single family “Villa”** detached homes may be developed pursuant to the following standards that shall be the exclusive lot size, density, setback, building height, lot coverage, and living area requirements for a single family detached home:
- a) Minimum lot size: 4,200 square feet
  - b) Minimum lot width: forty (40) feet
  - c) Minimum lot depth: one hundred-five (105) feet

- d) Minimum front yard setback: 10 feet. A corner lot shall be deemed have one front yard, which shall be the yard with the least street frontage. If the home has a front entry garage, then the Minimum front yard setback of 22 feet is required.
  - e) Minimum side yard setback: one side yard may be reduced down to zero if the other side yard has a minimum of five (5) feet. A minimum five (5) foot maintenance easement shall be required on the lot adjacent to the reduced side yard.
  - f) Minimum rear yard setback: ten (10) feet
  - g) Maximum lot coverage by structure: 65%.
  - h) Maximum building height: 35 feet and two stories
  - i) Maximum density: nine (9) dwelling units per gross acre
  - j) Minimum gross living area per dwelling unit: 1,500 square feet
  - k) Two car front entry garages are permitted.
  - l) Accessory buildings are not permitted.
- 3) **Townhomes and Row Houses** may be developed pursuant to the following standards that shall be the exclusive lot size, setback, building height, density, lot coverage, living area, and exterior construction and design requirements for a townhome:
- a) Minimum lot size: 1,750 square feet
  - b) Minimum lot width: twenty-five (25) feet
  - c) Minimum lot depth: seventy (70) feet
  - d) Minimum front yard setback: 10 feet. A corner lot shall be deemed have one front yard, which shall be the yard with the least street frontage.
  - e) Minimum side yard setback: none, except a minimum five-foot side setback is required on a corner side yard that abuts a street.
  - f) Minimum rear yard setback: none
  - g) Maximum lot coverage by structure: 90%
  - h) Maximum building height: 35 feet and two stories unless sprinklers installed throughout the structure then 50 feet and three stories
  - i) Maximum density: twenty dwelling units per gross acre

- j) Minimum gross living area per dwelling unit; 1,500 square feet
  - k) Accessory buildings are not permitted.
- 4) **Cluster Homes or duplexes** may be developed pursuant to the following standards that shall be exclusive of lot size, setback, building height, density, lot coverage, living area, and exterior construction and design requirements for cluster homes:
- a) Minimum lot size: 1,750 square feet
  - b) Minimum lot width: twenty-five (25) feet
  - c) Minimum lot depth: seventy (70) feet
  - d) Minimum front yard setback: 10 feet. A corner lot shall be deemed have one front yard, which shall be the yard with the least street frontage.
  - e) Minimum side yard setback: none, except a minimum five -foot side setback is required on a corner side yard that abuts a street.
  - f) Minimum rear yard setback: none.
  - g) Maximum lot coverage of structure: 80%.
  - h) Maximum building height: 35 feet and two stories unless sprinklers installed throughout the structure then 50 feet and three stories.
  - i) Maximum density: twenty dwelling units per gross acre.
  - j) Minimum gross living area per dwelling unit; 1,500 square feet.
  - k) Two car front entry garages are permitted.
  - l) Accessory buildings are not permitted.
- 5) **Data Center** shall be a permitted use within this zoning district with the following standards with a Special Use Permit upon recommendation by the planning and zoning commission and approval by the city council. As part of the SUP application, water and sewer demands must be submitted.
- a) Zoning standards of 14.06.012 Class III – Business “O” Office District with the following exceptions:
    - i) No data center building may be constructed closer than two hundred (200) feet from any lot plated for residential use.

- ii) The permitted height of a data center shall be a maximum of sixty (60) feet.
- iii) Floor space permitted up to 750,000 square feet per building
- iv) Parking Requirement for Data Center to be a Minimum of five (5) parking spaces.

**d. Development Standards for (LI) Light Industrial District:**

The purpose of the Light Industrial (LI) district is to provide suitable area for the development of a limited range of low-intensity industrial uses, provided the uses are not noxious or offensive due to odors, smoke, dust, noise, fumes or vibrations. The district is intended to serve the entire community. The light industrial district can have all of the permitted uses defined below, the uses found in the City of Willow Park zoning ordinance for Light Industrial Section 14.06.015, all uses contained in the Office “O” District zoning Section 14.06.012, the Commercial “C” District zoning Section 14.06.014 and the Local Retail “LR” District zoning Section 14.06.013. For purposes of applying the development standards herein the “LI” – Light Industrial District is approximately 55.5 acres as show on the Land Use Conceptual Plan as “LI” attached as Exhibit C.

Use regulations and zoning standards as stated in City of Willow Park zoning Chapter 14.06.015 – Class IV – Industrial: “LI” Light Industrial District with the following allowed uses and changes:

- 1) Warehouses and distribution or fulfillment centers
- 2) A maximum of 10 acres of self-storage (mini-storage) is permitted.
- 3) Tech and Data Centers
  - a) No data center building may be constructed closer than two hundred (200) feet from any lot platted for residential use.
  - b) The permitted height of a data center shall be a maximum of sixty (60) feet.
  - c) Floor space permitted up to 750,000 square feet per building.
  - d) Parking Requirement to be a Minimum of five (5) parking spaces.
- 4) Telecommunication towers
  - a) Maximum floor space area: none
  - b) Maximum Height: Not to exceed one hundred (100) feet.
  - c) Maximum lot coverage by structure: Sixty-Five percent (65%)

- 5) No required screening: Screening per zoning chapter 14, section 14.09.001 shall only apply when a platted or preliminary platted single-family residential lot is within 150 feet of the Light Industrial zoned lot.
- 6) Minimum masonry coverage: Buildings constructed using exterior materials other than masonry or concrete shall have a minimum masonry coverage of thirty-five percent (35%), with any side of a building facing a public street having no less than seventy (70%) masonry. When calculating the percentage of masonry, glass shall be included as part of the masonry percentage.

**e. Oil and Gas Wells:**

Two (2) Oil and Gas pad sites currently exist within the LI – Light Industrial District. These pad sites provide for the reasonable right to explore and extract minerals from below the land surface of the Development. Each pad site is approximately 300 feet by 300 feet in size (90,000 square feet); thus, giving adequate drilling access space for multiple wells and above ground oil and gas production and storage infrastructure.

- 1) Drilling of any additional wells shall be restricted to the two existing pad site locations within the LI – Light Industrial District, and shall comply with the City of Willow Park Chapter 4 “Business Regulations” Article 4.400 “Regulation of the Drilling and Operation of Gas and Oil Wells.
- 2) Non-Residential structures may be constructed with a minimum setback of two hundred (200) feet from the well bore.
- 3) The Developer shall not construct any publicly dedicated street within fifty (50) feet of a well bore.
- 4) Parking and parking lots, open space, trails or sidewalks are allowed within the gas well setback
- 5) No additional setbacks are required to existing or proposed gas collection lines or storage tanks owned by the oil and gas exploration company.
- 6) If the wells are capped and the well sites are abandoned, development may occur in compliance of setbacks identified by the Railroad Commission (RRC).
- 7) Access to the oil and gas pad site may be provided by a gravel road; however, at the point where the gravel road connects to a public roadway, a concrete apron shall be constructed in accordance with applicable City standards. This concrete apron shall meet the following minimum specifications:
  - a) The concrete shall be a minimum of six inches (6") thick and constructed.

- b) The apron shall extend a minimum of twenty feet (20') in length from the edge of the public roadway.
  - c) The apron shall be a minimum of twenty-four feet (24') in width.
  - d) The turning radii at the connection shall have an inside turning radius of twenty-eight feet (28') and an outside turning radius of fifty feet (50').
6. Development Matrix. With each plat approval, the developer shall submit an updated matrix that tracks the total number of single family detached homes, townhomes, and multi-family dwelling units, as well as the water and sewer demand tables related to these residential uses and any data center uses, to establish ongoing compliance with the requirements of these planned development district zoning regulations.
7. Overlay Districts. No overlay zoning district regulations shall apply to the Property, including, but not limited to, the I-20 overlay district regulations.
8. Landscaping. The City Manager may approve an alternative landscape plan for a platted lot provided the alternative plan meets or exceeds the total amount of landscaping required by the Zoning Ordinance for that lot.
9. Signs. Beall-Dean will have entry features that indicate that Beall-Dean is part of Dean Ranch and will be marketed as a part of Dean Ranch. Entry feature pylon type signs shall be allowed with tenant signage. In an effort create more of a unified aesthetic, and reduce individual signage along I-20 and FM 1187; Beall-Dean will be allowed to construct pylon signs that have signage for businesses within Beall-Dean. Such pylon or monument type signs can be constructed to seventy-five (75) feet in height and thirty (30) feet in width on properties that are immediately adjacent to the I-20 frontage road or FM 1187.

The purpose of the large pylon signs is an attempt to eliminate pole signs along I-20 and FM 1187, and as an alternative have several large multi-tenant pylon signs, along with shorter monument type multi-tenant signs.

The City Manager may approve an alternative sign plan for a platted lot provided the alternative plan meets the spirit and intent of the City's sign ordinance.

10. Parking. Required parking spaces may be located at any location within the Property, including within the floodplain. Required parking spaces are not required to be located on the same platted lot as the use that the parking serves but must be adjacent to or accessible from the use that the parking serves. Each townhome shall include a minimum of two parking spaces in an attached garage. For multi-family uses, a minimum of ten percent of the dwelling units shall have a garage, which shall count towards any covered parking requirements. Shared parking will be negotiated when necessary.
11. Sidewalks. Public sidewalks shall be constructed adjacent to all public roadways within the Property at the time a builder constructs a building on the adjacent plated lot. Sidewalks shall be located within the public right-of-way and maintained by the City. Sidewalks shall

be a minimum of five (5) feet in width with 4-inch-thick concrete and otherwise constructed in accordance with the City's standard specifications.

- a. Along major streets considered "Collector Streets", a total of ten (10) feet of sidewalk or trail shall be required. This requirement may be satisfied by one of the following configurations:
  - i. sidewalks on both sides of the street, with one side being a minimum of four (4) feet in width and the opposite side a minimum of six (6) feet in width;
  - ii. sidewalks on both sides of the street, each being a minimum of five (5) feet in width; or
  - iii. a sidewalk on only one side of the street with a minimum width of ten (10) feet.

The sidewalk width configuration selected shall be applied consistently along the entire length of the Collector Street section to ensure continuity and to prevent abrupt terminations or unnecessary variations in sidewalk width.

- b. In areas zoned as "SF" residential where one side of the street is an open space (a city park or HOA common area) a sidewalk is not required on the open space side. The sidewalk requirement provided above may be satisfied with Hike and Bike trails developed in accordance with the requirements of these Planned Development Standards, so long as sidewalk and trails connect.
- c. In areas zoned as "LI" light industrial sidewalks are not required for any street that is not classified a "Collector Street".

12. No tree mitigation or tree mitigation fees. It is understood that for Beall-Dean to be developed that most of the property is going to have to be mass graded to accommodate a topography that is conducive for development on streets and building sites. To provide for such development, most of the existing trees will have to be removed. There shall not be any penalty for removal of such trees. Trees will be replaced as part of the City of Willow Park Development Standards for each base zoning section.
13. Hike and Bike Trail: Open Space and Green Belt Area. It is anticipated that the whole development will be pedestrian friendly and that trails will be constructed along the connector roadways, and in other parts of the development, particularly in the area shown on the Conceptual Plan as power or gas line easements, flood plain, and detention pond areas. The construction of such trails or sidewalks shall be considered Authorized Public Improvements. Preliminary trail locations are shown on the Conceptual Plan; however, trails may be added or altered within the Development for recreation and pedestrian connectivity.

Areas that are shown on the Conceptual Plan as open space, flood plain, creeks that may be considered Waters of the United States, detention/retention ponds, or other ponds, large utility easements such as the power lines and gas lines that bisect the property, may become part of a Green Belt area. In such areas, the following uses are permitted by right: open space (passive or active), including horseback riding, hike and bike trails, parks, accessory uses, public parking, and food trucks in designated areas as permitted by city ordinance and outdoor dining areas in accordance with the regulations of the easement holders. Motorized vehicles are not permitted.

A hike and bike trail that is a minimum of four (4) feet in width and a maximum of eleven (11) feet in width shall be constructed within Beall-Dean as generally depicted on the Conceptual Plan. The trail shall be constructed of crushed granite, hot mix asphaltic, concrete, or other material approved by the City. The trail system shall qualify as public improvements for the purposes of Authorized Improvements for the Public Improvement District (PID). Such Authorized improvements that are part of the trail system shall be the construction of the trail and accessories to the trail such as lighting, landscaping, irrigation, benches, shade structures, signs and other equipment that relates to the use of the trail system. Construction of the trail shall be phased with the development, and shown on the development plans. At the developer's written request and after a final plat for at least 80 percent of the Property has been recorded, the developer will dedicate by separate instrument some or all of the Green Belt area that includes power line and gas line easement areas, the flood plain area on the Conceptual Plan, including the hike and bike trail, and City will accept and maintain the dedicated area and improvements. The dedicated area may include ponds or lakes.

With the exception of the areas referenced in Section above that will be dedicated to the City, all other open space designed on a recorded final plat shall be privately owned and maintained by a property owners association.

There are no park land dedication, park fee, or open space requirements applicable to this Property.

14. Franchise Utilities. Franchise utilities, including but not limited to gas, phone, electric and data, may be allowed within the front yard setbacks, located within a utility easement of not less than 5 (five) feet behind the right-of-way or in separate easements in side or backyard setbacks.
15. Storm Water. All drainage facilities shall be designed and constructed in conformance with the City's design criteria. Storm water facilities such as, but not limited to, conveyance, detention and retention as depicted on the Concept Plan are for illustration purposes only and do not constitute final location and are subject to change.
16. Streets.
  - a. Publicly dedicated streets shall be designed and constructed in conformance with the City of Willow Park's standards.
  - b. Private street improvements will be designed and constructed to ~~standards~~ City of Willow Park standards.
  - c. All street and driveway connections to the I-20 service road and FM 1187 are exclusively within the jurisdiction of the Texas Department of Transportation, and TxDOT shall be responsible for all permitting and regulatory control over such connections.

**Exhibit A**

Property Description and Depiction

(attached)

DRAFT

### Property Description

Parts of the F.H. HAMMON SURVEY, Abstract No. 673, the HEIRS OF FRANCISCO SANCHEZ SURVEY, Abstract No. 2346, and the H.T. & B.R.R. CO. SURVEY NO. 5, Abstract No. 647 situated in Parker County, Texas; embracing all of Parcel 4, the 323-336/1000 acres tract described in the deed to John Henry Dean III recorded in volume 1441, page 424 of the Official Public Records of Parker County, Texas and described by metes and bounds as follows:

The basis for bearings is the Texas Coordinate System North Central Zone NAD 83 (2011). All 5/8" capped irons recovered called for in this description are marked "Brookes Baker Surveyors".

Beginning at the southwest corner of said 323-336/1000 acres tract, in Bankhead Highway, from which a 5/8" iron found bears north 00 degrees-20 minutes-08 seconds east 31-57/100 feet.

Thence north 00 degrees-20 minutes-08 seconds east, along a west line of said 323-336/1000 acres tract, to and along the east line of Blocks 3 and 4 of PRAIRIE RIDGE ADDITION, an Addition to Parker County, Texas according to the plat thereof recorded in Slide B-795 of the Plat Records of Parker County, Texas, 2636-23/100 feet to a 1" iron found for a re-entrant corner of said 323-336/1000 acres tract, and for the northeast corner of said Block 4.

Thence south 89 degrees-03 minutes-43 seconds west, along the north line of said Block 4, for a south line of said 323-336/1000 acres tract, 583-07/100 feet to the east line of Lot 2 Block 1 of PRAIRIE CREEK BUSINESS PARK, an Addition to Parker County, Texas according to the plat thereof recorded in Slide C-333 of the said Plat Records, for a southwest corner of said 323-336/1000 acres tract, from which a 1/2" iron found bears south 01 degree-40 minutes-07 seconds east 1-37/100 feet.

Thence north 01 degrees-25 minutes-41 seconds west, along the east line of said Lot 2, for a west line of said 323-336/1000 acres tract, 1322-67/100 feet to a 5/8" iron found for the northeast corner of said Lot 2, and for the southeast corner of the 1-010/1000 acres tract described in the deed to Twin Star Properties, LLC. recorded in Document No. 201704344 of the said Official Public Records.

Thence northwesterly, along the east line of said 1-010/1000 acres tract, for a west line of said 323-336/1000 acres tract, the following:

north 01 degrees-34 minutes-53 seconds west 216-25/100 feet to a 5/8" capped iron set;

north 01 degrees-09 minutes-20 seconds west 224-47/100 feet to a 1/2" capped iron found for the northeast corner of said 1-010/1000 acres tract, and for the northwest corner of said 323-336/1000 acres tract, in the south right-of-way of Interstate Highway No. I-20.

Thence southeasterly, along the north line of said 323-336/1000 acres tract, and the south

right-of-way of said Interstate Highway No. I-20, the following:

south 82 degrees-12 minutes-12 seconds east 48-05/100 feet to a ½" iron found;  
south 74 degrees-57 minutes-27 seconds east 302-95/100 feet to a ¾" iron found;  
south 82 degrees-38 minutes-35 seconds east 99-98/100 feet to a ¾" iron found;  
south 89 degrees-05 minutes-24 seconds east 301-78/100 feet to a concrete highway monument found;  
south 78 degrees-15 minutes-08 seconds east 401-38/100 feet to a concrete highway monument found;  
south 71 degrees-54 minutes-15 seconds east 295-68/100 feet to a ½" capped iron found marked RPLS 5084.

Thence south 12 degrees-11 minutes-37 seconds west 365-80/100 feet to a ½" capped iron found marked RPLS 5084.

Thence south 77 degrees-35 minutes-12 seconds east 211-26/100 feet to a 4" pipe fence corner post.

Thence north 15 degrees-42 minutes-30 seconds east 225-02/100 feet to a 4" pipe fence post.

Thence north 27 degrees-41 minutes-15 seconds east 137-58/100 feet to a ½" capped iron found marked RPLS 5084, in the north line of said 323-336/1000 acres tract.

Thence southeasterly, along the north line of said 323-336/1000 acres tract, and the south right-of-way of said Interstate Highway No. I-20, the following:

south 78 degrees-34 minutes-21 seconds east 49-77/100 feet to a concrete highway monument found;  
south 70 degrees-58 minutes-18 seconds east 458-94/100 feet to a concrete highway monument found at the beginning of a curve to the left having a radius of 2893-79/100 feet; along said curve to the left an arc length of 579-73/100 feet to a concrete highway monument found at its end. The long chord of said 579-73/100 feet arc is south 76 degrees-46 minutes-29 seconds east 578-76/100 feet;  
south 82 degrees-31 minutes-55 seconds east 623-94/100 feet to a 5/8" capped iron set for the most northerly northeast corner of said 323-336/1000 acres tract, at the beginning of a curve to the right having a radius of 121-00/100 feet.

Thence southeasterly, along the northeasterly line of said 323-336/1000 acres tract, along said curve to the right an arc length of 104-31/100 feet to a 5/8" capped iron set for the most easterly northeast corner of said 323-336/1000 acres tract, in the west right-of-way of Farm-to-Market Highway No. 1187. The long chord of said 104-31/100 feet arc is south 57 degrees-23 minutes-08 seconds east 101-11/100 feet.

Thence southeasterly and southwesterly, along the east line of said 323-336/1000 acres tract, and the west right-of-way of said Farm-to-Market Highway No. 1187, the following:

south 08 degrees-46 minutes-55 seconds east 324-26/100 feet to a 5/8" capped iron set;  
south 08 degrees-24 minutes-03 seconds east 2177-50/100 feet to a concrete highway monument found at the beginning of a curve to the right having a radius of 1859-86/100 feet;

along said curve to the right an arc length of 1193-70/100 feet to a corner from which a broken concrete highway monument found bears north 55 degrees-25 minutes-39 seconds east 0-41/100 of a foot. The long chord of said 1193-70/100 feet arc is south 10 degrees-02 minutes-00 seconds west 1173-31/100 feet;  
north 61 degrees-24 minutes-06 seconds west 15-00/100 feet to a concrete highway monument found;  
south 28 degrees-26 minutes-17 seconds west 695-87/100 feet to a corner from which a 4" pipe fence corner post bears north 46 degrees-30 minutes-49 seconds east 0-38/100 of a foot;  
south 46 degrees-56 minutes-17 seconds west 89-98/100 feet to a 5/8" iron recovered;  
south 49 degrees-06 minutes-54 seconds west 56-29/100 feet to the southeast corner of said 323-336/1000 acres tract, in said Bankhead Highway.

Thence southwesterly and northwesterly, along the south line of said 323-336/1000 acres tract, in said Bankhead Highway, the following:

south 84 degrees-24 minutes-35 seconds west 356-80/100 feet;  
north 80 degrees-45 minutes-38 seconds west 131-78/100 feet;  
north 58 degrees-48 minutes-33 seconds west 406-60/100 feet;  
north 69 degrees-39 minutes-30 seconds west 312-20/100 feet;  
north 73 degrees-44 minutes-04 seconds west 1450-58/100 feet to the place of beginning and containing 321-406/1000 acres, of which approximately 2-051/1000 acres lies within said F.H. HAMMON SURVEY, and approximately 300-327/1000 acres lies within said HEIRS OF FRANCISCO SANCHEZ SURVEY, and approximately 19-028/1000 acres lies within said H.T. & B.R.R. CO. SURVEY NO. 5, of said 321-406/1000 acres tract approximately 2-162/1000 acres lies within said Bankhead Highway.

#### SAVE AND EXCEPT THE FOLLOWING

Part of the HEIRS OF FRANCISCO SANCHEZ SURVEY, Abstract No. 2346, situated in Parker County, Texas; embracing all of the 3-673/1000 acres tract described in the deed to TXU Electric Company recorded in volume 1889, page 1878 of the Official Public Records of Parker County, Texas and described by metes and bounds as follows:

Commencing at the southwest corner of Parcel 4, the 323-336/1000 acres tract described in the deed to John Henry Dean III, recorded in volume 1441, page 424 of the said Official Public Records, in Bankhead Highway, and run, along the south line of said 323-336/1000 acres tract south 73 degrees-44 minutes-04 seconds east 1450-58/100 feet, the run south 69 degrees-39 minutes-30 seconds east 312-20/100 feet, the run south 58 degrees-48 minutes-33 seconds east 89-79/100 feet, the run north 31 degrees-11 minutes-27 seconds east 1375-16/100 feet to a 5/8" capped iron found for the most southerly and beginning corner of the tract being described.

Thence north 32 degrees-54 minutes-52 seconds west, along the southwesterly line of said 3-673/1000 acres tract, 400-06/100 feet to a 1/2" capped iron found for the most westerly corner of said 3-673/1000 acres tract.

Thence north 57 degrees-05 minutes-09 seconds east, along the northwesterly line of said 3-673/1000 acres tract, 400-06/100 feet to a 5/8" capped iron set for the most northerly corner

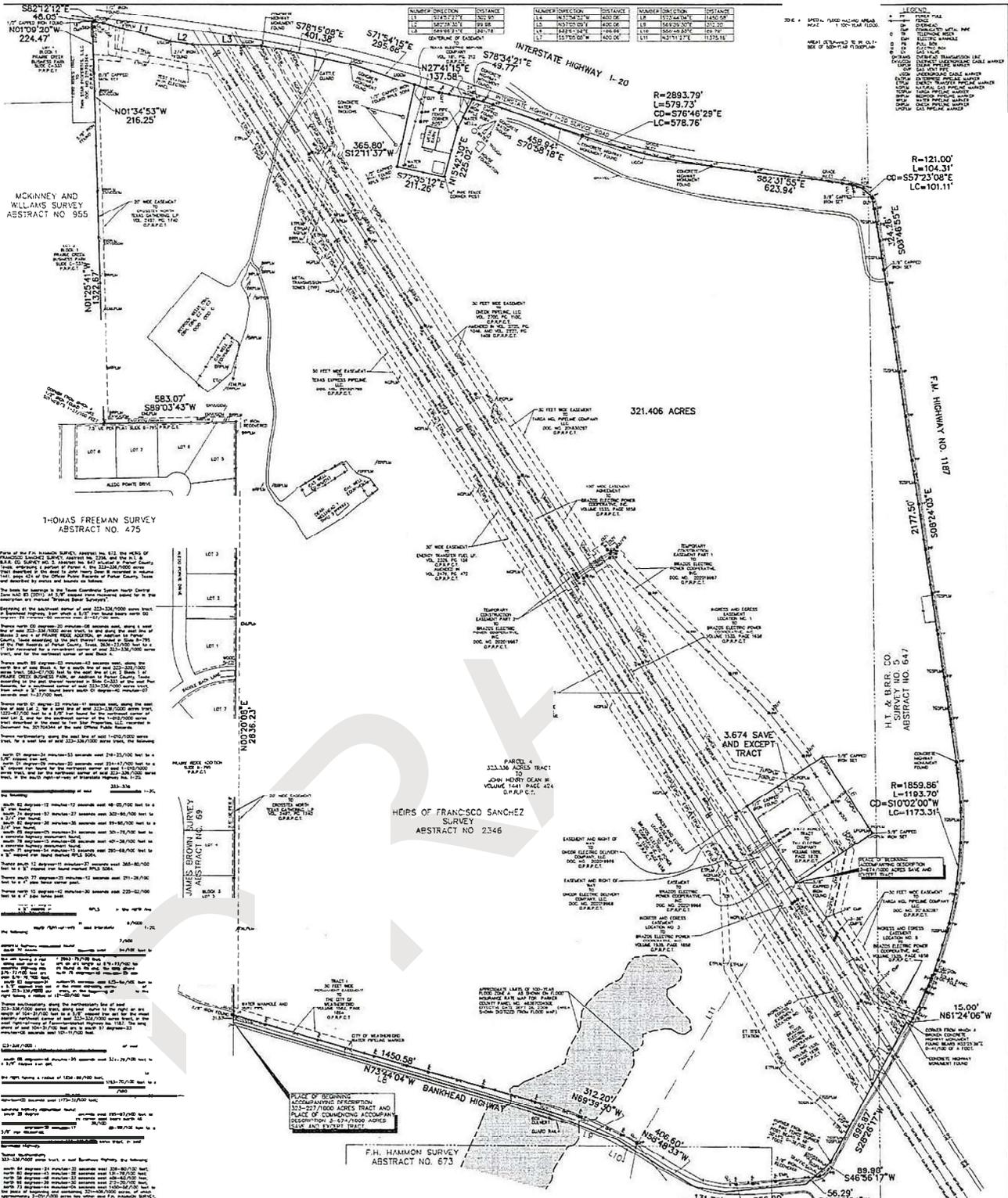
of said 3-673/1000 acres tract.

Thence south 32 degrees-54 minutes-52 seconds east, along the northeasterly line of said 3-673/1000 acres tract, 400-06/100 feet to a 5/8" capped iron set for the most easterly corner of said 3-673/1000 acres tract.

Thence south 57 degrees-05 minutes-08 seconds west, along the southeasterly line of said 3-673/1000 acres tract, 400-06/100 feet to the place of beginning and containing 3-673/1000 acres.

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# Property Depiction



Part of the F.H. HAMMON SURVEY, Abstract No. 673, the HEIRS OF FRANCISCO SANCHEZ SURVEY, Abstract No. 2346, the H.T. & B.R.R. CO. SURVEY, Abstract No. 647, situated in Parker County, Texas. We marked or referenced the corners as shown hereon. The location of the improvements relative to the Tract lines is as shown hereon. The visible conditions along the Tract lines are as shown hereon. The basis for bearings is the Texas Coordinate System North Central Zone NAD 83 (2011). The lengths shown hereon are horizontal ground lengths. Surveyed on the ground in March, 2021. BROOKES BAKER SURVEYS

To: Brook Investments LP, 3000 West Loop West, Suite 1000, Dallas, Texas 75201. For: 321.406 acres, 3.674-acre save and except tract, and 15.00-acre tract, all in Parker County, Texas.

Surveyed on the ground in March, 2021. BROOKES BAKER SURVEYS

ALAN W. HICKLEY, Surveyor

To: Brook Investments LP, 3000 West Loop West, Suite 1000, Dallas, Texas 75201. For: 321.406 acres, 3.674-acre save and except tract, and 15.00-acre tract, all in Parker County, Texas.

Surveyed on the ground in March, 2021. BROOKES BAKER SURVEYS

ALAN W. HICKLEY, Surveyor



Brookes Baker Surveys  
150 Honey Court  
Drabney, Texas 76040  
(817) 278-0233  
www.brookesbakersurveys.com  
TNS-1 File No. 1000260

**Exhibit B**  
Conceptual Plan  
(attached)

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NOTE:

- 1. THIS EXHIBIT DISPLAYS A CONCEPTUAL DESIGN. THIS PLAN IS SCHEMATIC IN NATURE AND IS FOR PLANNING PURPOSES ONLY. ANY AND ALL DESIGN ELEMENTS ARE SUBJECT TO CHANGE.
- 2. PARKING TABLE IN SEPARATE EXHIBIT.



Westwood

DEAN RANCH MASTER PLAN

FUTURE CITY OF WILLOW PARK  
SEPTEMBER 2024

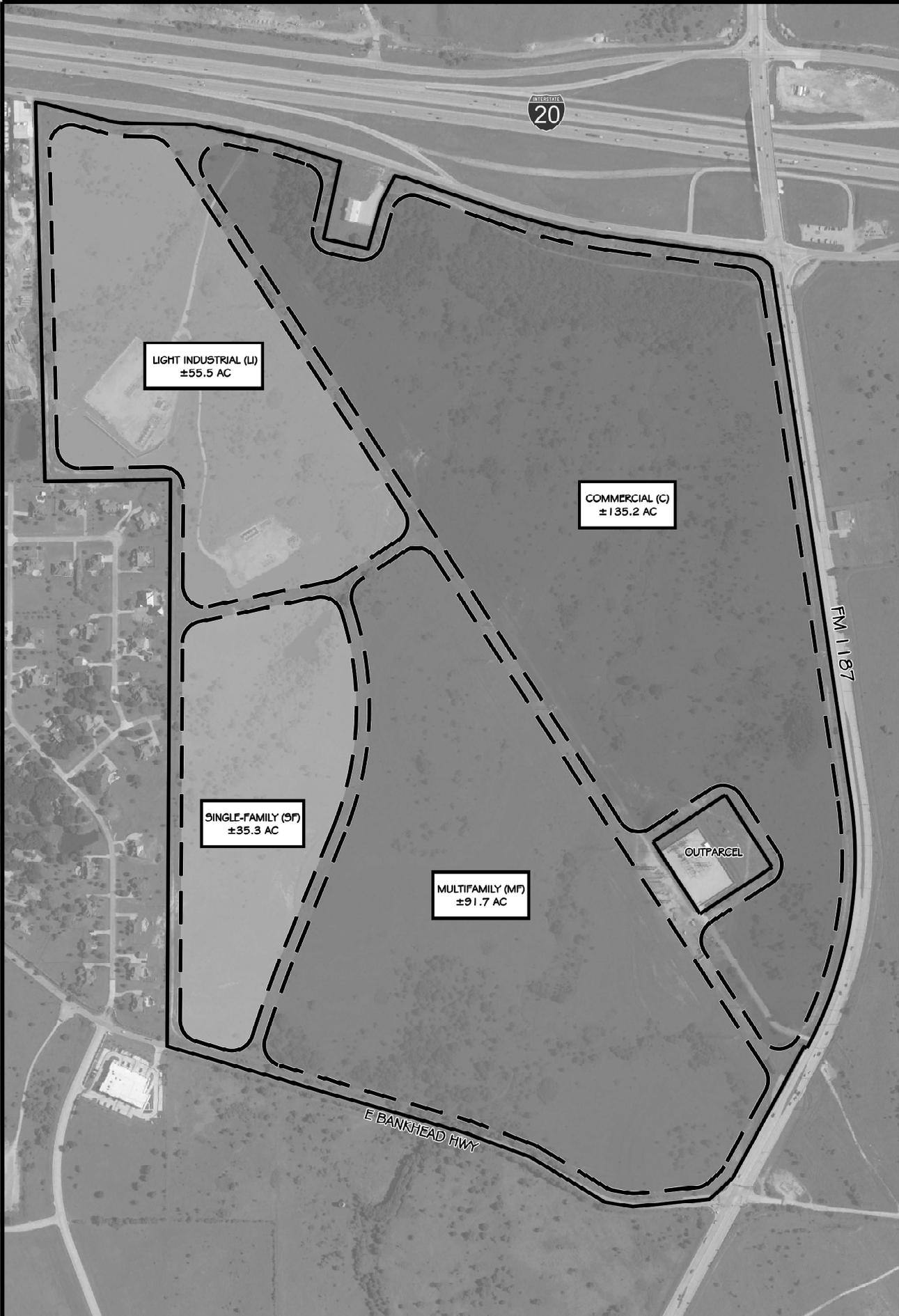


**Exhibit C**

Land Use Conceptual Plan

(attached)

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LIGHT INDUSTRIAL (LI)  
±55.5 AC

COMMERCIAL (C)  
±135.2 AC

SINGLE-FAMILY (SF)  
±35.3 AC

MULTIFAMILY (MF)  
±91.7 AC

OUTPARCEL



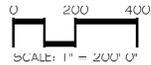
FM 1187

E BANKHEAD HWY

**Westwood**

PLANNED DEVELOPMENT (PD) ZONING

FUTURE CITY OF WILLOW PARK  
OCTOBER 2024



**Exhibit D**

City of Willow Park Base Zoning

(attached)

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## Chapter 14

### ZONING

<b>ARTICLE 14.01</b>		<b>§ 14.05.004.</b>	<b>Replacement of official zoning map.</b>
<b>GENERAL PROVISIONS</b>		<b>§ 14.05.005.</b>	<b>Retention of official zoning maps.</b>
<b>§ 14.01.001.</b>	<b>Purpose.</b>		
<b>§ 14.01.002.</b>	<b>Interpretation and conflict.</b>		
<b>§ 14.01.003.</b>	<b>Validity.</b>		
<b>§ 14.01.004.</b>	<b>Conflicting ordinances repealed.</b>		
<b>§ 14.01.005.</b>	<b>Effective date.</b>		
<b>ARTICLE 14.02</b>		<b>ARTICLE 14.06</b>	
<b>ESTABLISHMENT OF DISTRICTS AND BOUNDARIES</b>		<b>USE RESTRICTIONS AND ZONING REGULATIONS</b>	
<b>§ 14.02.001.</b>	<b>Establishment of districts and boundaries.</b>	<b>§ 14.06.001.</b>	<b>Generally.</b>
		<b>§ 14.06.002.</b>	<b>Class I - Special purpose: "AG" Agricultural District.</b>
		<b>§ 14.06.003.</b>	<b>Class I - Special purpose: "FP" Flood Plain District.</b>
		<b>§ 14.06.004.</b>	<b>Class I - Special purpose: "PD" Planned Development District.</b>
		<b>§ 14.06.005.</b>	<b>Class II - Residential: "R-1" Single-Family District.</b>
		<b>§ 14.06.006.</b>	<b>Class II - Residential: "R-1/s" Single-Family District with sewer.</b>
<b>§ 14.03.001.</b>	<b>Height regulations.</b>	<b>§ 14.06.007.</b>	<b>Class II - Residential: "R-2" Single-Family/Duplex District.</b>
<b>§ 14.03.002.</b>	<b>Special front yard regulations.</b>	<b>§ 14.06.008.</b>	<b>Class II - Residential: "R-3" Multifamily District.</b>
<b>§ 14.03.003.</b>	<b>Side yard regulations.</b>	<b>§ 14.06.009.</b>	<b>Class II - Residential: "R-4" Manufactured Housing District.</b>
<b>§ 14.03.004.</b>	<b>Private club regulations.</b>	<b>§ 14.06.010.</b>	<b>Class II - Residential: "R-5" Single-Family Medium Density District.</b>
<b>§ 14.03.005.</b>	<b>Fire protection access.</b>	<b>§ 14.06.011.</b>	<b>Class II - Residential "TH" Townhome District.</b>
<b>§ 14.03.006.</b>	<b>Exterior construction requirements and standards.</b>	<b>§ 14.06.012.</b>	<b>Class III - Business: "O" Office District.</b>
<b>§ 14.03.007.</b>	<b>Accessory building and use regulations.</b>	<b>§ 14.06.013.</b>	<b>Class III - Business: "LR" Local Retail District.</b>
		<b>§ 14.06.014.</b>	<b>Class III - Business: "C" Commercial District.</b>
<b>ARTICLE 14.04</b>		<b>§ 14.06.015.</b>	<b>Class IV - Industrial: "LI" Light Industrial District.</b>
<b>DEFINITIONS</b>		<b>§ 14.06.016.</b>	<b>Class V - IH-20 Overlay District.</b>
<b>§ 14.04.001.</b>	<b>Definitions.</b>		
<b>ARTICLE 14.05</b>			
<b>OFFICIAL ZONING MAP</b>			
<b>§ 14.05.001.</b>	<b>Establishment of official zoning map.</b>		
<b>§ 14.05.002.</b>	<b>Certification.</b>		
<b>§ 14.05.003.</b>	<b>Amendments and changes.</b>		

WILLOW PARK CODE

**ARTICLE 14.07  
SIGN REGULATIONS**

- § 14.07.001. Definitions.
- § 14.07.002. Signs requiring permits.
- § 14.07.003. Application for permit.
- § 14.07.004. Measurements.
- § 14.07.005. Spacing of off-premise signs.
- § 14.07.006. Height restrictions.
- § 14.07.007. Area restrictions.
- § 14.07.008. Frontage on more than one street.
- § 14.07.009. Location of signs by type.
- § 14.07.010. Wind loads.
- § 14.07.011. Obstruction to doors, windows or fire escapes.
- § 14.07.012. Signs not to constitute traffic hazard.
- § 14.07.013. Prohibited signs, advertising, lighting.
- § 14.07.014. Compliance with other codes.
- § 14.07.015. Maintenance.
- § 14.07.016. Unsafe signs.
- § 14.07.017. Replacement or repair of sign.
- § 14.07.018. Existing sign registration.
- § 14.07.019. Application to extraterritorial jurisdiction.
- § 14.07.020. Ground or monument signs.
- § 14.07.021. Weekend directional signs.

**ARTICLE 14.08  
TREE PRESERVATION**

- § 14.08.001. Purpose.
- § 14.08.002. Definitions.
- § 14.08.003. Applicability of article.
- § 14.08.004. Tree preservation permit required.
- § 14.08.005. Application for permits.
- § 14.08.006. Application review.
- § 14.08.007. Tree removal.
- § 14.08.008. Replacement of trees.
- § 14.08.009. Maintenance of trees.
- § 14.08.010. Tree protection.
- § 14.08.011. Penalty.

**ARTICLE 14.09  
SCREENING, FENCING AND LANDSCAPE  
REGULATIONS**

- § 14.09.001. Screening fence requirements.
- § 14.09.002. Landscaping requirements.

**ARTICLE 14.10  
NEW DEVELOPMENT SITE PLAN  
PROCESS**

- § 14.10.001. Intent of "PD" Planned Development District.
- § 14.10.002. General "PD" regulations.
- § 14.10.003. "PD" procedures and requirements.
- § 14.10.004. Conceptual "PD" plan.
- § 14.10.005. "PD" site plan approval.
- § 14.10.006. Amendments to adopted "PD" site plans.
- § 14.10.007. "PD" site plan information.
- § 14.10.008. "PD" administration.
- § 14.10.009. "PD" enforcement.

**ARTICLE 14.11  
UNLISTED USES AND NEWLY ANNEXED  
AREAS**

- § 14.11.001. Classification of new and unlisted uses.
- § 14.11.002. Newly annexed areas.

**ARTICLE 14.12  
OFF-STREET PARKING AND LOADING  
REQUIREMENTS**

- § 14.12.001. Parking requirements based on use.
- § 14.12.002. Rules for computing number of parking spaces.
- § 14.12.003. Location of parking spaces.
- § 14.12.004. Minimum dimensions for off-street parking.
- § 14.12.005. Off-street loading space.

**ARTICLE 14.13  
SPECIFIC USE PERMITS**

ZONING

- § 14.13.001. Specific uses.
- § 14.13.002. Specific use permit regulations.
- § 14.13.003. Specific use permit extensions, renewals, and modifications.
- § 14.13.004. Administration of specific use permits.
- § 14.13.005. Transition from temporary zoning controls.

**ARTICLE 14.14  
NONCONFORMING USES**

- § 14.14.001. Continuation of nonconforming use.
- § 14.14.002. Changing a nonconforming use.
- § 14.14.003. Amortization of nonconforming uses.

**ARTICLE 14.15  
ENFORCEMENT AND APPLICATION**

- § 14.15.001. Building permits required.
- § 14.15.002. Application for building permit.
- § 14.15.003. Expiration of building permit.
- § 14.15.004. Construction and use to be as provided in applications, plans, permits, and certificates of zoning compliance.

**ARTICLE 14.16  
COMMISSIONS**

- § 14.16.001. Definition.
- § 14.16.002. Establishment.
- § 14.16.003. Membership and terms.
- § 14.16.004. Procedure.
- § 14.16.005. Duties and powers.
- § 14.16.006. Staff support.

**ARTICLE 14.17  
BOARD OF ADJUSTMENT**

- § 14.17.001. Definition.
- § 14.17.002. Organization and procedure.
- § 14.17.003. Appeals.
- § 14.17.004. Powers and duties of the board.

**ARTICLE 14.18  
CERTIFICATES OF OCCUPANCY**

- § 14.18.001. Required.
- § 14.18.002. Procedure for new or altered buildings.
- § 14.18.003. Contents.
- § 14.18.004. Temporary certificate.
- § 14.18.005. Certificates of nonconforming uses.

**ARTICLE 14.19  
COMPLIANCE WITH REGULATIONS**

- § 14.19.001. Compliance with regulations.

**ARTICLE 14.20  
SCHEDULE OF FEES AND EXPENSES**

- § 14.20.001. Schedule of fees and expenses.

**ARTICLE 14.21  
AMENDMENTS**

- § 14.21.001. Authority.
- § 14.21.002. Submission to planning and zoning commission.
- § 14.21.003. Public hearings.
- § 14.21.004. In case of protests.
- § 14.21.005. Limitation on resubmission of petition.

**ARTICLE 14.22  
VIOLATION AND PENALTIES**

- § 14.22.001. Violation and penalties.

**ARTICLE 14.01**  
**GENERAL PROVISIONS<sup>1</sup>**

**§ 14.01.001. Purpose.**

The purpose of this chapter is to zone the entire area of the City of Willow Park into districts as made and provided by V.T.C.A., Local Government Code, chapter 211, as amended, in accordance with a comprehensive plan for the purpose of promoting health, safety, and the general welfare of the general public. The zoning districts have been designated to lessen congestion in the streets; to provide safety from fire, panic, and other dangers; to provide adequate light, air, water, and sewage; to prevent the overcrowding of land and undue concentration of population; and to provide and facilitate adequate provisions for transportation, parking, schools, parks, and other public requirements. Said districts have been created with fair and reasonable consideration; for the character of each district and its suitability for particular uses; to conserve the value of the land and buildings in each district; to insure harmonious and appropriate use of all property; and to prohibit inappropriate uses of property thereby promoting the general good and welfare of the public.

(Ordinance 414-97, ex. A, sec. 12.001, adopted 12/16/1997)

**§ 14.01.002. Interpretation and conflict.**

In interpreting and applying the provisions of this chapter, they shall be held to be minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity or general welfare. It is not intended by this chapter to interfere with, or abrogate, or annul any easement, covenants, or other agreements between parties; provided, however, that where this chapter imposes a greater restriction upon the use of the buildings, or premises, or upon height of buildings, or requires larger open spaces than are imposed or required by other ordinances, rules, regulations, or by easements, covenants, or agreements, the provision of this chapter shall govern.

(Ordinance 414-97, ex. A, sec. 12.002, adopted 12/16/1997)

**§ 14.01.003. Validity.**

If any section, paragraph, subdivision, clause, phrase, or provision of this chapter shall be adjudged or for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this chapter shall not be affected thereby, it being the intent of the city council, in adopting this chapter, that no portion thereof, or provision, or regulation contained herein, shall become inoperative or fail by reason of the unconstitutionality or invalidity of any section, paragraph, subdivision, clause, phrase, or provision of this chapter.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 22.00; Ordinance 414-97, ex. A, sec. 12.003, adopted 12/16/1997)

**§ 14.01.004. Conflicting ordinances repealed.**

All ordinances and parts of ordinances inconsistent or in conflict with this chapter are hereby repealed.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 24.00; Ordinance 414-1997, ex. A,

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1. Editor's Note—This Chapter Consists Of The Zoning Ordinance, Ordinance 335-93 Adopted 2/16/1993, Previously Published As Chapter 12, Exhibit A, In The 1993 Code Of Ordinances, As Amended. The Zoning Ordinance Was Reorganized By Ord. 414-97 Adopted 12/16/1997. Section Numbers, Style, Capitalization And Formatting Have Been Changed To Be Consistent With The Remainder Of The Code Of Ordinances, And This Will Be Maintained In Future Amendments To This Chapter. Changes In The Names Of State Agencies Have Been Incorporated Without Notation. The Term "City Administrator" Has Been Changed To "City Manager". Obviously Misspelled Words Have Been Corrected Without Notation. At The Request Of The City, All Fees Have Been Removed. Except For These Changes, Such Ordinance Is Printed Herein As Set Out In The 1993 Code And As Amended.

sec. 12.004, adopted 12/16/1997)

**§ 14.01.005. Effective date.**

This chapter shall become effective from and after the date of its approval and adoption as provided by law.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 25.00; Ordinance 414-97, ex. A, sec. 12.005, adopted 12/16/1997)

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**ARTICLE 14.02**  
**ESTABLISHMENT OF DISTRICTS AND BOUNDARIES**

**§ 14.02.001. Establishment of districts and boundaries.**

- (a) The City of Willow Park defines, adopts, and establishes the following fourteen (14) zoning "districts" in order to regulate and restrict the following: the location of trades and industries; the location of buildings erected, reconstructed, altered or enlarged for specific uses; the height and bulk of buildings hereafter erected, reconstructed, altered or enlarged; to determine the area of yards and other open spaces; and to limit the density of population. These fourteen districts are broken into four classifications (hereafter referred to as "class") which are referred to in the V.T.C.A. Local Government Code.

Class I - Special Purpose

"AG" Agricultural District

"FP" Flood Plain District

"PD" Planned Development District

Class II - Residential

"R-1" Residential District

"R-1/s" Single-Family District With Sewer

"R-2" Residential District

"R-3" Multifamily District

"R-4" Manufactured Housing District

"R-5" Single-Family High Density District

"TH" Townhome District

Class III - Business

"O" Office District

"LR" Local Retail District

"C" Commercial District

Class IV - Industrial

"LI" Light Industrial District

- (b) The districts above and the boundaries of such districts are shown upon the city's official zoning map and made a part of this chapter. The map and all the notations, references and other information shown thereon shall be as much a part of this chapter as if the matters and information set forth by said map were all fully described herein. If, because of error or omission in the official zoning map, any property in the City of Willow Park which is not shown as being in a specific district, and cannot be properly determined on any property in the city, such property shall be classified as "AG" Agricultural until changed by amendment. (Such classification by the city does not establish county agricultural tax status.)
- (c) Except as specifically authorized to the contrary in this chapter the following regulations shall apply

in all districts:

- (1) No building permit, certificate of occupancy or other permit shall be issued, nor shall any use be made of land or any building or structure within the City of Willow Park unless a zoning district is specified for such land.
  - (2) No building or structure shall be erected, reconstructed, altered or enlarged; nor shall any building or structure or land be used for any purpose other than is permitted hereafter in the district in which such building, structure or land is located, and no building, structure or land shall be used and no certificate of occupancy, nor building permit shall be issued for any use or purpose prohibited by ordinance or by the constitution and laws of the United States of America or of the State of Texas.
  - (3) No building or structure shall be erected, reconstructed, altered or enlarged to exceed the height or bulk limit herein established for the district in which such building is located.
  - (4) No lot area shall be reduced or diminished so that the yards or other open spaces shall be smaller than prescribed by this chapter, nor shall the density of population be increased in any manner except in conformity with the area regulations herein established.
  - (5) No building permit shall be issued for any building or structure unless such building or structure is located on a platted lot or lots which have been described by an instrument recorded in the Parker County deed records in Texas, and the lot or lots front upon a legally established street. Notwithstanding the above, no building permit shall be issued for any building on and composed of a fractional part of any adjoining lot, or a lot and a fractional part of any adjoining lot, or the fractional parts of two adjoining lots.
  - (6) No yard or other open space provided about any building or structure for the purpose of complying with the provisions of these regulations shall be considered as providing a yard or open space for any other building or structure; provided further that no yard or open space on an adjoining property shall be considered as providing a yard or open space on a lot whereon a building is to be erected.
- (d) Where uncertainty exists with respect to the boundaries of any of the aforesaid districts shown on the zoning map, the following rules shall apply:
- (1) Where district boundaries are indicated as approximately following the centerlines of streets or highways, street lines or highway right-of-way lines, such centerlines, street lines, or highway right-of-way lines shall be construed to be said boundaries.
  - (2) Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed as said boundaries.
  - (3) Where district boundaries are indicated as approximately following a parallel to a drainage course or other prominent physical feature, that parallel line shall be construed to be said boundaries.
  - (4) Where district boundaries are so indicated that they are approximately parallel to the center of the streets, or the centerlines of the right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map. If no distance is given, such dimension shall be determined by the use of the scale of said zoning map.

- (5) Where district boundaries are so indicated that they are approximately perpendicular to the centerline or right-of-way lines of streets, highways, or drainage courses, such district boundaries shall be construed to be perpendicular to said street, highways, or drainage courses.
- (6) If the property is undivided, then the district boundary lines of the zoning map shall be determined by use of the scale appearing on the map.
- (7) In the case of a district boundary line dividing a lot into two (2) parts the district boundary line shall be construed to be the lot line nearest the district boundary line as shown.
- (8) Whenever any street, alley, or other public way is vacated by official action of the city council, the zoning district adjoining each side of such street, alley, or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all regulations of the extended district.
- (9) Where the streets or alleys on the ground differ from the streets or alleys as shown on the zoning map, the streets or alleys on the ground shall control.

(Ordinance 414-97, ex. B, art. 12.100, adopted 12/16/1997; Ordinance 432-98 adopted 11/17/1998; Ordinance 513-004 adopted 4/20/2004; Ordinance 747-17 adopted 3/14/2017)

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**ARTICLE 14.03**  
**ESTABLISHMENT OF REGULATIONS AND RESTRICTIONS**

**§ 14.03.001. Height regulations.**

- (a) The height prescribed herein shall not apply to television and radio towers, church spires, belfries, monuments, tanks, water towers, stage towers, cooling towers, ornamental towers and spires, chimneys, elevator bulkheads, smokestacks, conveyors, and necessary and allowable appurtenances.
- (b) No structure may be erected to a height in excess of that permitted by the regulations of such airfield zoning ordinance as it may exist at the time and whose regulations apply to the area in which the structure is being erected.

(Ordinance 414-97, ex. C, sec. 12.201, adopted 12/16/1997)

**§ 14.03.002. Special front yard regulations.**

- (a) Where the frontage on one side of a street between two intersecting streets is divided by two or more zoning districts, the front yard shall comply with the requirements of the most restrictive district for the entire frontage.
- (b) When a building line has been established by plat or ordinance and such line requires a greater or lesser front yard setback than is prescribed by this chapter for the district in which the building line is located, the required front yard shall comply with the building line so established by the most restrictive of such ordinance or plat.
- (c) The front yard shall be measured from the property line to the front face of the building, covered porch, covered terrace, or attached accessory building. Eaves and roof extensions may project into the required front yard for a distance not to exceed four (4) feet and subsurface structures, platforms, or slabs may not project into the front yard to a height greater than forty (40) inches above the average grade.
- (d) Where lots have a double frontage, running through from one street to another, a required front yard shall be provided on both streets unless a building line for accessory buildings has been established along one frontage on the plat or by ordinance, in which event only one required front yard need to be observed.
- (e) If thirty (30) percent or more of the frontage of one side of a street between two intersecting in any residential district is improved with buildings prior to the effective date of this chapter that have been observed an average front yard line with a variation in depth of not more than six (6) feet, then the average front yard so established shall be observed provided, however, that this regulation shall not be interpreted as requiring a front yard line of more than thirty (30) feet.

- (f) Gasoline service station pump islands may not be located nearer than eighteen (18) feet to the front property line.

(Ordinance 414-97, ex. C, sec. 12.202, adopted 12/16/1997)

**§ 14.03.003. Side yard regulations.**

- (a) On a corner lot the width of the yard along the side of the street shall not be less than any required front yard on the same side of such street between intersecting streets, provided, however, that the buildable width of a lot of record shall not be reduced to less than thirty (30) feet.

- (b) No accessory building shall project beyond a required yard line along any street.
  - (c) For the purpose of the side yard regulations, an attached dwelling or multifamily dwelling shall be considered as one building occupying one lot.
  - (d) Where a lot of record at the time of the effective date of this chapter is less than one hundred (100) feet in width the required side yard may be reduced to provide a minimum buildable width of fifty (50) feet, provided, however, that no side yard shall be less than ten (10) feet.
  - (e) The area required in a yard shall be open to the sky, unobstructed except for the ordinary projections of window sills, belt courses, cornices, or other ornamental features.
  - (f) A roof overhang, an open fire escape or an outside stairway may not project more than four (4) feet into a required side yard.
- (Ordinance 414-97, ex. C, sec. 12.203, adopted 12/16/1997)

**§ 14.03.004. Private club regulations.**

- (a) In all districts, no person shall operate or cause to operate a private club licensed by the Texas Alcoholic Beverage Commission as part of any business within 300 feet of:
  - (1) A church.
  - (2) A public or private elementary or secondary school.
  - (3) Residentially zoned property.
  - (4) A public park.

The distance between any private club and the uses listed above shall be measured in a straight line, without regard for intervening structures or objects, from the closest exterior wall of the structure where a private club is conducted, to the nearest property line of a church or school, or to the nearest boundary of a residential district or public park.

- (b)
  - (1) In all districts, no person shall operate or cause to operate a private club licensed by the Texas Alcoholic Beverage Commission as part of any business within 350 feet of another club.
  - (2) The distance between any two businesses containing private clubs shall be measured in a straight line, without regard for intervening structures or objects, from the closest exterior wall of the structures in which such businesses are located.

(Ordinance 414-97, ex. C, sec. 12.205, adopted 12/16/1997)

**§ 14.03.005. Fire protection access.**

- (a) No building except single-family dwellings shall be constructed in such a way that any part of the structure may be erected at a greater distance than the one hundred fifty (150) feet, if the owner thereof dedicates, constructs and maintains a fire lane or access easement having a minimum width of twenty-four (24) feet and a minimum height clearance of fourteen (14) feet terminating within one hundred (100) feet of the farthest point of the structure.
- (b) Any such fire lane or access easement more than one hundred fifty (150) feet long shall either connect at both ends to a dedicated street or be provided with a turn-around having a minimum radius of fifty (50) feet.

- (c) All fire lanes or access easements dedicated to the City of Willow Park for such use, shall be of concrete surface for the entire width thereof and maintained and kept in a state of good repair at all times by the owner of the premises, and the City of Willow Park shall not be responsible for the maintenance thereof. Such fire lanes shall be permanently marked as fire lanes and the owner of the property shall insure that the same such markings are kept and obviously displayed.

(Ordinance 414-97, ex. C, sec. 12.206, adopted 12/16/1997; Ordinance 811-20, sec. 2(A), adopted 11/10/2020)

**§ 14.03.006. Exterior construction requirements and standards.**

- (a) Definitions. For the purpose of this section, the following definitions shall apply:

- (1) "Masonry" construction shall include all construction of stone material, brick material, concrete masonry units, or concrete panel construction, which is composed of solid, cavity, faced, or veneered-wall construction. The standards for masonry construction types are listed below:
- (A) "Stone" material. Masonry construction using stone material may consist of granite, marble, limestone, slate, river rock, and other hard and durable naturally occurring all-weather stone. Cut stone and dimensioned stone techniques are acceptable.
- (B) "Brick" material. Brick material used for masonry construction shall be hard fired (kiln fired) clay or slate material which meets the latest version of ASTM standard C216, Standard Specification for Facing Brick (Solid Masonry Unit Made of Clay or Shale), and shall be Severe Weather (SW) grade, and type FBA or FBS or better. Unfired or underfired clay, sand, or shale brick are not allowed.
- (C) "Concrete" masonry units. Concrete masonry units used for masonry construction shall meet the latest version of the following applicable specifications: ASTM C90, Standard Specification for Hollow Load Bearing Concrete Masonry Units; ASTM C145, Standard Specification for Solid Load Bearing Masonry Units; ASTM C129, Standard Specification for Hollow and Solid Nonload Bearing Units. Concrete masonry units shall have an indented, hammered, split face finish or other similar architectural finish as approved by the city council. Lightweight concrete block or cinderblock construction is not acceptable as an exterior finish.
- (D) "Concrete panel" construction. Concrete finish, pre-cast panel, tilt wall, or cementitious composition reinforced panel construction shall be painted, fluted, or exposed aggregate. Smooth or untextured concrete finishes are not acceptable unless painted.
- (2) Glass and metal standards are as follows:
- (A) "Glass walls" shall include glass curtain walls or glass block construction. Glass curtain wall shall be defined as an exterior wall which carries no structural loads, and which may consist of the combination of metal, glass, or other surfacing material supported in a metal framework.
- (B) "Metal walls" shall include profiled panels and deep ribbed panels. Exterior finish shall be film-laminated or baked-on enamel painted to the wall manufacturer's standards.
- (i) The use of corrugated metal, plastic, or fiberglass panels is prohibited.
- (ii) The use of galvanized, aluminum coated, zinc-aluminum coated or unpainted exterior metal finish is prohibited.

(b) Construction standards.

(1) Construction standards. The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all new, altered or repaired construction occurring within the city.

(2) Residential.

(A) All residential buildings and structures shall be of exterior fire resistant construction having at least seventy-five percent (75%) of the total exterior walls above grade level and below the first floor plate line, excluding doors and windows, constructed of brick, stone, or material of equal characteristics in accordance with the city's building and fire codes. Strict adherence to this rule shall not be such as to prevent architectural creativity.

(B) All principal buildings and structures located in the MF districts shall be of exterior fire resistant construction having at least seventy-five percent (75%) of the total exterior walls, excluding doors and windows, constructed of brick, stone, or other material of equal characteristics in accordance with the city's building and fire codes.

(C) Concrete or metal exterior construction is not permitted on any residential structure.

(D) Exemptions.

(i) Accessory buildings two hundred and forty (240) square feet or less are excluded from these provisions.

(ii) Barns on property of three (3) acres or more, provided that such barns are used solely for agricultural purposes as distinguished from commercial or industrial purposes, shall be exempt from provisions of this section.

(iii) Mobile homes otherwise lawfully existing under the provisions of the zoning ordinance shall also be excluded from provisions of this section.

(iv) Historic structures.

(3) Nonresidential.

(A) All nonresidential structures shall be of exterior fire resistant construction having at least seventy-five percent (75%) of the total exterior walls above grade level, excluding doors and windows, constructed of masonry or glass wall construction, in accordance with the city's building and fire codes. Strict adherence to this requirement shall not be such as to prevent architectural creativity.

(B) The following materials are permitted materials for exterior construction:

(i) Copper.

(ii) Limestone.

(iii) Rustic wood.

(iv) Stucco.

(v) Tile.

- (vi) Granite.
  - (vii) Marble.
  - (viii) Other stone.
- (C) Use of other exterior construction materials may be permitted by the city council at the time of site plan approval.
- (4) Temporary construction buildings. Temporary buildings and temporary building material storage areas to be used for construction purposes may be permitted for a specific period of time in accordance with a permit issued by the building official and subject to periodic renewal by the inspector for cause shown. Upon completion or abandonment of construction or expiration of permit, such field offices/buildings and material storage areas shall be removed at the satisfaction of the building official.
- (5) Procedure for determining alternative exterior materials.
- (A) All requests for alternative exterior building materials shall be noted and described on the site plan. If requested by the city, a sample(s) of the proposed exterior finish material(s) may be required to be submitted with the site plan.
  - (B) The city may approve an alternative exterior material if it is determined to be equivalent or better than the exterior materials cited in this section, subsection (a), "Definitions," subparagraphs (1) (masonry) and (2) (glass and metal) above as part of the approval of the site plan.
  - (C) Consideration for exceptions to the above requirements shall be based only on the following:
    - (i) Architectural design and creativity.
    - (ii) Compatibility with surrounding developed properties.
- Architectural variances may be considered for, but not limited to, Gingerbread, Victorian, English Tudor, or Log designs.
- (D) The request shall be reviewed by the planning and zoning commission, and shall be approved or disapproved by the city council.
- (c) Exterior design standards.
- (1) Purpose. To ensure the aesthetic value and visual appeal of nonresidential land uses and structures.
  - (2) Facade articulation (i.e., offsets) of at least five feet (5') in depth shall be required for every fifty feet (50') in surface length.
  - (3) Facade offsets shall be shown, along with calculations verifying that the building elevations meet the above requirement, on a building facade/elevation plan, and shall be submitted and approved as part of the site plan approval process.
- (Ordinance 515-04 adopted 4/20/2004)

**§ 14.03.007. Accessory building and use regulations.**

- (a) R-1 Single-family residential district (40,000 sq./ft. or larger):
- (1) The combined area of all accessory buildings on a lot shall be no greater than fifty percent (50%) of the residence. Gutters and downspouts are required on all accessory buildings larger than two hundred (200) square feet.
  - (2) Front yard setback: No accessory building is permitted in the front yard setback.
  - (3) Side yard setback: Where building lines, setback lines or side yard lines are shown on a recorded plat, the minimum side yard setback shall be as shown on the plat. In all other locations, the minimum side yard setback shall be ten (10') feet.
  - (4) Rear yard setback: Accessory buildings shall be located towards the rear of the property. Accessory buildings shall be located no closer than ten (10') feet from the rear property line.
  - (5) Accessory buildings shall not be permitted within a utility easement, drainage easement or drainageway or floodplain.
  - (6) The maximum exterior wall height of an accessory building in the R-1 district is fourteen (14') feet.
  - (7) All accessory buildings shall be constructed of materials which are of a comparable color pallet to the main use building and have a roof pitch similar to the main use building.
- (b) R-1/S Single-family residential district with sewer (20,000 sq./ft. or larger):
- (1) The combined area of all accessory buildings on a lot shall be no greater than five percent (5%) of the lot area. Gutters and downspouts are required on all accessory buildings larger than two hundred (200) square feet.
  - (2) All lots must be platted prior to issuance of a permit.
  - (3) A maximum of five (5) accessory buildings/uses.
  - (4) Front yard setback: No accessory building is permitted in the front yard setback.
  - (5) Side yard setback: Where building lines, setback lines or side yard lines are shown on a recorded plat, the minimum side yard setback shall be as shown on the plat. In all other locations, the minimum side yard setback shall be ten (10') feet.
  - (6) Rear yard setback: Accessory buildings shall be located towards the rear of the property. Accessory buildings shall be located no closer than ten (10') feet from the rear property line.
  - (7) Accessory buildings shall not be permitted within a utility easement, drainage easement or drainageway or floodplain.
  - (8) The maximum exterior wall height of an accessory building in the R-1 district is fourteen (14') feet.
  - (9) All accessory buildings shall be constructed of materials which are of a comparable color pallet to the main use building and have a roof pitch similar to the main use building.
- (c) R-2, R-3, R-4, R-5 Residential districts (single-family residence):
- (1) There shall be one (1) accessory building per lot no larger than two hundred (200) square feet.

- (2) Front yard setback: No accessory building is permitted in the front yard setback.
  - (3) Side yard setback: Where building lines, setback lines or side yard lines are shown on a recorded plat, the minimum side yard setback shall be as shown on the plat. In all other locations, the minimum side yard setback shall be ten (10') feet.
  - (4) Rear yard setback: Accessory buildings shall be located towards the rear of the property. Accessory buildings shall be located no closer than ten (10') feet from the rear property line.
  - (5) Accessory buildings shall not be permitted within a utility easement, drainage easement or drainageway or floodplain.
  - (6) The maximum exterior wall height of an accessory building in these zoning districts is eight (8') feet.
  - (7) All accessory buildings shall be constructed of materials which are of a comparable color pallet to the main use building and have a roof pitch similar to the main use building.
- (d) Detached accessory buildings are prohibited in all residential districts in front of the main building.
  - (e) Detached carports shall be located no closer than the front of the main building and observe all building setback requirements.
  - (f) Detached carports are considered as accessory buildings and shall meet the requirements of the zoning district. All carports must be secured and anchored in compliance with building code regulations.
  - (g) Accessory buildings are not permitted without a main use building, unless on tracts of two (2) acres or more and used solely for agricultural purposes. Workshops, garages, or similar uses shall not be considered as agricultural purposes. In such case, a one hundred (100') foot front building setback from all property lines is required.
  - (h) Portable buildings, including storage containers, overseas shipping containers, cargo, or freight containers are prohibited to be used as accessory buildings. The use of storage containers may be allowed for a maximum sixty (60) day period during moving or construction with issuance of a permit.
- (Ordinance 755-17 adopted 7/11/2017; Ordinance 774-18 adopted 8/14/2018)

**ARTICLE 14.04  
DEFINITIONS****§ 14.04.001. Definitions.**

For the purposes of this chapter, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural shall include the singular; the word "building" shall include the word "structure," the word "shall" is mandatory and not directive, the word "lot" includes the word "plot"; the term "used for" includes the meaning "designed for" or "intended for." Said words and terms are as follows:

Accessory building or use. A subordinate building having a use customarily incident to and located on the lot occupied by the main building; or a use customarily incident to the main use of the property. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and designed as an integral part of the main building.

Alley. A minor way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

Apartment. A room or suite of rooms in an apartment house arranged, designed, or occupied as the residence by a single family, individual, or group of individuals.

Apartment house. Any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied as three or more apartments or which is occupied as the home or residence of three or more families living independently of each other maintaining separate cooking facilities.

Area of the lot. The area of the lot shall be the net area of the lot and shall not include portions of public streets or alleys.

Automobile sales area. An open area or lot used for the display or sale of automobiles, where no repair work is done except minor reconditioning of the cars to be displayed and sold on the premises, and no dismantling of cars or sale or keeping of used car parts or junk on the premises.

Barber and beauty shops/associated services. An establishment permitted by the Texas Department of Licensing and Regulation (TDLR) to cut, trim, wash, color or dye hair and mustaches. Associated services shall include all cosmetology services, permanent make-up and micro blading, etc.

Basement. A story below the first story defined under "story" counted as a story for height regulations if subdivided and used for dwelling purposes other than by a janitor or watchman employed on the premises.

Block. A piece or parcel of land entirely surrounded by public highways or streets, other than alleys. In cases where the platting is incomplete or disconnected, the building official shall determine the outline of the block.

Boarding house. A building, other than a hotel or motel, where lodging and meals for five or more persons are served for compensation.

Breezeway. A covered passage one (1) story in height and six (6) feet or more in width connecting a main structure and an accessory building.

Building. Any structure built for the support, shelter, and enclosure of persons, animals, chattels or movable property of any kind.

Building line. A line on a lot parallel to the street right-of-way line beyond which a building may not be erected. This shall be the building setback as required by this chapter or the building line as platted and

filed of record; whichever is more restrictive shall control.

Business. Includes a local retail, and commercial/industrial uses and districts as herein defined.

Cabana. An accessory building adjacent to a swimming pool used as a changing area and for storage of pool-related equipment.

Clinic. Offices for one or more physicians, surgeons, or dentists engaged in treating the sick or injured, but not including rooms for the abiding of patients overnight.

Commercial amusement - indoor. An operation which is conducted within an enclosed building, including bowling alleys, video arcades, dance halls or theater, auditoriums, and recreational facilities with or without fixed seating.

Commercial amusement - outdoor. An operation including miniature golf courses, driving ranges, swimming pools, skateboard parks, water parks and associated facilities.

Community center. A building dedicated to social or recreational activities serving the city or a neighborhood and owned and operated by the city, or by a nonprofit organization dedicated to promoting the health, safety, morals or general welfare of the city.

Convalescent home. Any structure used for or occupied by persons recovering from illness or suffering from the infirmities of old age.

Court. An open unoccupied space other than a yard, on the same lot with a building and which is bounded on three (3) or more sides by the building.

Customary home occupations. A customary home occupation is an occupation customarily carried on in the home by a member of the occupant's family without the installation of machinery or additional equipment, without the employment of additional persons, without the use of a sign to advertise the occupation and which does not cause the generation of additional traffic in the street, or provision of customer parking, and shall not include beauty culture schools, beauty parlors, or doctor's offices for treatment of patients.

Day care center. Any place, home or institution which cares for five or more children under the age of sixteen (16) years old apart from their parents, guardians, or custodians for regular periods of time for compensation; provided, however, that the term shall not apply to bona fide schools, custody fixed by a court or children related by blood or marriage.

Depth of lot. The mean horizontal distance between the front and rear lot lines.

Depth of rear yard. The mean horizontal distance between the front and rear line of a building other than an accessory building and the rear lot line except as modified in the text of any section of this chapter.

District. A section of the City of Willow Park for which the regulations governing the area, height, or use of buildings are uniform for each type and class of structure.

Dwelling, mobile home. A detached residential dwelling unit designed for transportation after fabrication on streets or highways on its own wheels, which arrives at the site where it is to be occupied, complete and ready for occupancy other than for or incidental unpacking and assembly operation, location on jacks or other temporary or permanent foundations and connection to utilities.

Dwelling, multifamily. A building or portion thereof, arranged, intended, or designed for occupancy by three or more families, including tri-plexes, four-plexes, townhouses, condominiums and garden apartments.

Dwelling, one-family. A detached building arranged, intended, or designed for occupancy by one family.

Dwelling, two-family. A detached building arranged, intended, or designed for occupancy by two families.

Efficient apartment. An apartment having a combination living and bedroom (no separate bedroom).

Family. One (1) or more persons who are related by blood or marriage, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than five (5) (excluding servants) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities, on a nonprofit cost-sharing basis.

Farm or ranch. A tract of land consisting of a minimum of ten (10) acres if livestock is kept on premises.

Field offices (temporary). Shall mean and include structures conforming to the Uniform Building Code used in conjunction with construction work, accessory and incidental to the construction of a permanent structure which said permanent structure conforms to the code and all other laws of the City of Willow Park, the State of Texas and the United States of America. Said temporary structure may be permitted by the building official at the time [a permit] is granted for the permanent structure and said temporary structure shall be completely removed at the time of occupancy of the permanent structure.

Floor area ratio. A numerical value obtained by dividing: (i) the sum of the gross horizontal area of all floors of a building, including interior balconies and mezzanines, measured to the exterior faces of walls, by (ii) the total area of the lot, excluding streets, alleys, and dedicated drainageways.

Floor space per dwelling unit. The total number of square feet of habitable floor spaces contained within the dwelling unit exclusive of porches, breezeways, carports, garages, and storage areas not directly accessible from within the dwelling unit.

Front yard. An open, unoccupied space on a lot facing a street between a building and a street line. If no building exists, a front yard is an open unoccupied space facing a street and adjacent thereto.

Garage, auto repair. An "auto repair garage" is a building or portion thereof whose principal use is for the repair, servicing, equipping, or maintenance of motor vehicles or motor vehicle components, including engines, radiators, starters, transmissions, brakes, tires and wheels, seats, and similar components.

Garage, private. An accessory building for storage only of motor vehicles.

Garage, public. A building or portion thereof, designed or used for the storage, sale, hiring, care or repair of motor vehicles, which is operated for commercial purposes.

Garage, storage. A building or portion thereof, other than a private garage, used exclusively for parking or storage of self-propelled vehicles, but with no other services provided except for washing and normal maintenance.

Grade.

- (1) For buildings having walls adjoining one street only, it is the elevation of the sidewalk at the center of the wall adjoining the street;
- (2) For buildings having walls adjoining more than one street, it is the average of the elevation of the sidewalk at the center of all walls adjoining the street;
- (3) For buildings having no wall adjoining the street, it is the average level of the finished surface of the ground adjacent to the exterior wall of the building.

Gross floor area. The gross floor space of an apartment house shall be measured by taking the outside dimension of the apartment building at each floor level, excluding, however, the floor area of basements or attics not used for residential purposes.

Height of buildings. The vertical distance measured from the highest of the following three levels:

- (1) From the street curb level;

- (2) From the established or mean street grade in case the curb has not been constructed;
- (3) From the average finished ground level adjoining the building if it sets back from the street line;

to the highest point of the roof beams of flat roofs or roof including not more than one (1) inch to the foot, or to the mean height level.

Hobby shop. An accessory use housed in a dwelling or in an accessory building in which the residents of the premises engage in recreational activities, none of which shall disturb the neighbors on either side or in the rear thereof, and from which no revenue may be derived, and in which no goods may be publicly displayed, offered for sale, or advertised for sale, nor may any sign be used in connection therewith.

Hospital. An institution or place where sick or injured inpatients are given medical or surgical care and provision is made for patients to abide overnight.

Hotel. A hotel is a building containing rooms intended or designed to be used or which are used, rented, or hired out to be occupied by guests and where only a general kitchen and dining room are provided within the building or in an accessory building.

Junk. The term "junk" is defined to mean and shall include scrap iron, scrap tin, scrap brass, scrap copper, scrap lead, or scrap zinc and all other scrap metals and their alloys, and bones, rags, used cloth, used rubber, used rope, used tinfoil, used bottles, old cotton or used machinery, used tools, used appliances, used fixtures, used utensils, used boxes or crates, used pipe or pipe fittings, used vehicular or airplane tires, and other manufactured goods that are so worn, deteriorated, or obsolete as to make them unusable in their existing condition; subject to being dismantled for junk.

Kennel. Any lot or premises on which four (4) or more dogs, cats, or other domestic animals at least four (4) months of age, are housed or accepted for boarding, trimming, grooming and/or bathing for which remuneration is received.

Kindergarten. A school for children of pre-school age in which constructive endeavors, object lessons, and helpful games are prominent features of the curriculum.

Legal nonconforming use, building or yard. A use, building or yard existing legally at the time of the passage of this chapter which does not by reason of design, use, or dimensions conform to the regulation of the district in which it is situated. A use, building or yard established after the passage of this chapter which does not conform to regulations of the district in which it is situated shall be considered an illegal nonconforming use.

Lot. A parcel of land occupied or to be occupied by one building, or unit group of buildings, and the accessory buildings or uses customarily incident thereto, including such open spaces as are required under this chapter, and having its principal frontage upon a public street or place.

Lot, corner. A lot abutting upon two or more streets at their intersection. A corner lot shall be deemed to front on that street on which it has its least dimension, unless otherwise specified by the building official.

Lot depth. The mean horizontal distance from the front street line to the rear lot line.

Lot, double frontage. A lot having frontage on two or more dedicated streets other than a corner lot.

Lot, interior. A lot whose side lines do not abut upon any street.

Lot line, front. The boundary between a lot and the street on which it fronts.

Lot line, rear. The boundary which is opposite and most distant from the front street line; except that in the case of uncertainty the building official shall determine the rear line.

Lot line, side. Any lot boundary line not a front or rear line thereof. A side line may be a party lot line, a line bordering on an alley or side street line.

Lot of record. A lot which is part of a subdivision, a map of which has been recorded in the office of the county clerk of Parker County.

Lot width. The horizontal distance between side lines, measured at the front building line, as established by the minimum front yard requirements of this chapter.

Masonry coverage. Brick, stone, stucco, block and concrete walls are considered masonry (also see decorative masonry), and the method of calculation of masonry coverage shall be the percentage of the total exterior wall surface below the first top plate line, excluding doors and windows.

Mobile home. A vehicle used for living or sleeping purposes and standing on wheels or rigid supports, but which when properly equipped and situated can be towed behind a motor vehicle. A trailer coach is a mobile home.

Modular home. A factory-built dwelling unit, attached or detached, which is wholly or partially constructed away from its building site or lot and moved to a building lot where it is affixed to a permanent foundation or situated as a permanent building. A modular home is a residential use. A mobile home shall not be construed as a modular home.

Motel, motor hotel, or tourist court. Any establishment offering to the transient public the use of guest rooms or sleeping accommodations for compensation. Such an establishment consists of a group of attached or detached guest rooms or sleeping accommodations the majority of which have private and direct access from parking areas not through common entrance and lobby. The establishment furnishes customary hotel services and may contain a restaurant, club, lounge, banquet hall, and/or meeting rooms. A motel is a nonresidential use.

Off-street loading space. A concrete space located outside of a public street or alley for the discharge of passengers or a space directly accessible to the building it serves for bulk pickup and deliveries by delivery vehicles.

Off-street parking place. A concrete surface located outside of the right-of-way of a public street or alley adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room without backing into a public street.

Open space. Area included in any side, rear, or front yard or any unoccupied space on the lot that is open and unobstructed to the sky except for the ordinary projection of cornices, eaves, or porches.

Residence. A building occupied as the abiding place of one or more persons in which the use and management of sleeping quarters, all appliances for cooking, ventilating, heating or lighting are under one control and which shall include single-family dwellings, which shall be the principal building on any lot in residential districts.

Restaurant or cafe. A building or portion of a building, not operated as a dining room in connection with a hotel or boarding house, where food is served for pay and for consumption in the building, and where provisions may be made for serving food on the premises outside the building.

Screening device. A barrier of stone, brick, pierced brick or block, uniformly colored wood, or other permanent material of equal character, density, and acceptable type and of a density that will not permit through passage, or an acceptable combination of these materials. Such screening device shall be continuously maintained, and shall be constructed along the rear lot line and side lot lines between "R-3", "O", "LR", and "C" districts and "R-1" and "R-2" districts.

Servant's quarters. An accessory building located on the same lot or grounds with the main building, and

used as living quarters, for servants employed on the premises, and not rented or otherwise used as a separate domicile.

Setback. The minimum horizontal distance between the front wall of any projection of the building, excluding steps and unenclosed porch and the street line.

Story. That part of a building included between the surface of one floor and the surface of the floor above, or if there be no floor above, that part of the building which is above the surface of the highest floor thereof. A top story attic is a half-story when the main line of the eaves is not above the middle of the interior height of such story. The first story is the highest story having its interior floor surface, not more than four feet above the curb level, established or mean street grade, or average ground level, as mentioned in "Height of buildings" in this section.

Street. A public thoroughfare which affords primary access to abutting property.

Street right-of-way line. The dividing line between the street and the abutting property.

Structure. Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground, including, but not limited to, buildings, advertising signs, and billboards, but exclusive of customary fences or boundary or retaining walls.

Subdivision developer's sales office. Shall mean and include structures conforming to the Uniform Building Code used for the purpose of selling residential structures within the immediate proximity of the sales office. Said subdivision developer sales office shall be completely removed or put to a use permitted by the City of Willow Park, Texas, zoning ordinance after all residential structures in the immediate proximity have been sold.

Terminal, motor freight. The use of property or buildings for the temporary parking of motor vehicles or trucks of common carriers during loading and unloading and between trips, including necessary warehouse space for storage of transitory freight.

Townhome. A single-family dwelling which is attached to one or more similar dwellings by a common fire wall or fire walls, and which in combination with the attached dwellings constitute an architectural whole, located on a separate lot, and having its principal frontage on a street. Such dwelling units when so constructed may be under separate ownership.

Used car lot. A lot or portion thereof to be used only for the display and sale of automobiles that are in condition to be driven on or off the lot. A used car lot shall not be used for the storage of wrecked automobiles, or the storage of automobile parts.

Variance. A modification or variation of the provisions of this chapter, as applied to a specific piece of property, as distinct from rezoning.

Yard. An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward except as otherwise provided. In measuring a yard for the purpose of determining width of a side yard, the depth of a front yard or the depth of a rear yard, the least horizontal distance between the lot line and the main building shall be used.

Yard, front. A yard across the full width of the lot extending from the front line of the main building to the front line of the lot.

Yard, rear. A yard between the rear lot line and the rear line of the main building and the side lot lines.

Yard, side. A yard between the building and the side line of the lot and extending from the front yard to the required minimum rear yard.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 3.00; Ordinance 414-97 adopted 12/16/1997; Ordinance 747-17, sec. 2, adopted 3/14/2017; Ordinance 763-18 adopted 1/9/2018;

Ordinance 811-20, sec. 2(F), adopted 11/10/2020; Ordinance 834-21, sec. 2(1), adopted 7/13/2021)

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**ARTICLE 14.05**  
**OFFICIAL ZONING MAP**

**§ 14.05.001. Establishment of official zoning map.**

The City of Willow Park is hereby divided into zones, or districts as shown on the official zoning map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this chapter.

(Ordinance 414-97, ex. D, sec. 12.401, adopted 12/16/1997)

**§ 14.05.002. Certification.**

The official zoning map shall be identified by the signature of the mayor, attested by the city manager, and bearing the seal of the city together with the date of adoption of the ordinance, under the following words: "This is to certify that this is the Official Zoning Map referred to in Article 14.05 of the City of Willow Park, Texas, Code of Ordinances."

(Ordinance 414-97, ex. D, sec. 12.402, adopted 12/16/1997)

**§ 14.05.003. Amendments and changes.**

- (a) If, in accordance with the provisions of this chapter and V.T.C.A., Local Government Code, chapter 211, changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be made on the official zoning map promptly after the amendment has been approved by the city council, together with an entry on the official zoning map, which shall be signed by the mayor and attested by the city manager, as follows: "On (date), by official action of the City Council, the following change/changes were made in the Official Zoning Map: (brief description of the nature of the change)."
- (b) The amending ordinance shall provide that such changes or amendments shall not become effective until they have become duly entered upon the official zoning map. No amendment to this chapter which involves matter portrayed on the official zoning map shall become effective until after such change and entry has been made on said map.
- (c) No changes of any nature shall be made in the official zoning map or matter shown thereon except in conformity with the procedures set forth in this chapter. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this chapter and punishable as provided under article 14.22 of this chapter.
- (d) Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map which shall be located in the office of the city manager, shall be the final authority as the current zoning status of land and water areas, buildings, and other structures in the city.

(Ordinance 414-97, ex. D, sec. 12.403, adopted 12/16/1997)

**§ 14.05.004. Replacement of official zoning map.**

- (a) In the event that the official zoning map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the city council may by resolution adopt a new official zoning map which shall supersede the prior official zoning map.
- (b) The new official zoning map may correct drafting or other errors or omissions in the prior official

zoning map, but no such correction shall have the effect of amending the original zoning ordinance or any subsequent amendment thereof.

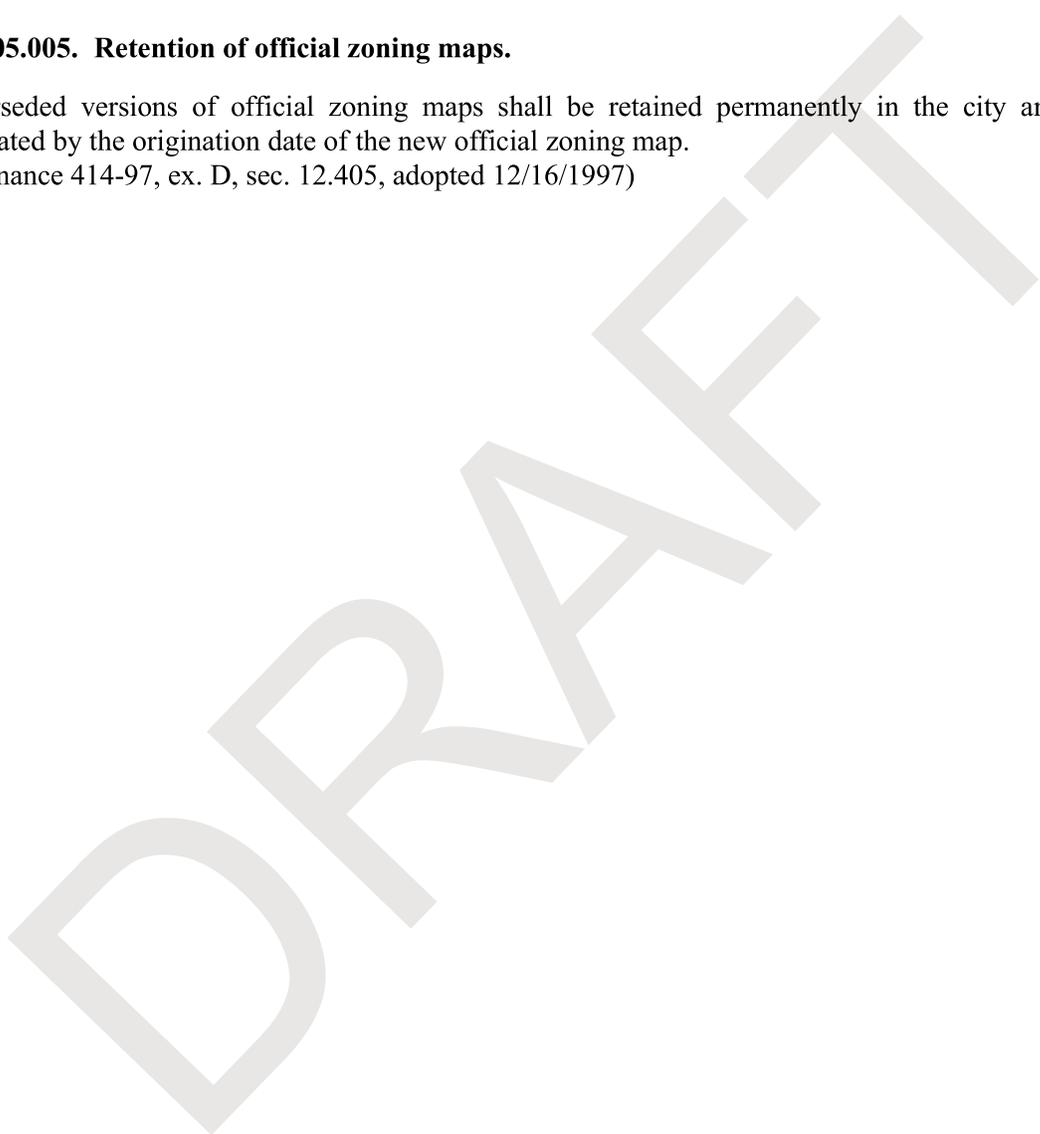
- (c) The signature of the mayor, attested by the city manager, and bearing the seal of the city shall identify the new official zoning map by the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) as part of Ordinance \_\_\_\_\_."

(Ordinance 414-97, ex. D, sec. 12.404, adopted 12/16/1997)

**§ 14.05.005. Retention of official zoning maps.**

Superseded versions of official zoning maps shall be retained permanently in the city archives and annotated by the origination date of the new official zoning map.

(Ordinance 414-97, ex. D, sec. 12.405, adopted 12/16/1997)



**ARTICLE 14.06**  
**USE RESTRICTIONS AND ZONING REGULATIONS**

**§ 14.06.001. Generally.**

The following sections outline and establish the use regulations, zoning restrictions, and special regulations for each zoning district.

(Ordinance 414-97, ex. E, adopted 12/16/1997)

**§ 14.06.002. Class I - Special purpose: "AG" Agricultural District.**

(a) Use regulations.The "AG" Agricultural District will be limited to the following uses:

- (1) Farms or ranches, orchards, truck gardens, nurseries for the growing of plants and similar agrarian activities involving the growing of plants, or raising and pasturing of livestock.
- (2) Single-family dwellings clearly incidental to the operation of the above-listed activities, including dwellings on the same farm or ranch used exclusively for the housing of employees living on the premises; provided that tracts in the "AG" district which have less than ten (10) contiguous acres in separate ownership shall be limited to one (1) principal dwelling provided that such principal dwelling shall have an allowable area of not less than allowed in a "R-1" district.
- (3) Accessory buildings and structures clearly incidental to the above operations, including but not limited to barns, stables, equipment sheds, poultry houses, granaries, pump houses, water tanks, silos, and noncommercial feeding pens.
- (4) Installations owned and operated by the City of Willow Park, Parker County, the State of Texas or public utility companies, which installations are necessary for the public safety, governmental services or the furnishing of the utility services including, without limitation, communications towers and water towers are permitted in all zoning districts.
- (5) Public and parochial schools, universities and colleges, not including correctional institutions, trade or commercial business schools.
- (6) Museums, libraries, parks, playgrounds, community centers, or recreational areas owned and operated by the City of Willow Park, Parker County, or the State of Texas, or owned by such agencies and operated under their control and supervision.
- (7) Churches.
- (8) Storage yards, junkyards, and motor vehicle junkyards upon recommendation by the planning and zoning commission and approval by the city council; subject to approval of the special use process as outlined in article 14.13 of this chapter.

(b) Zoning standards.Are set accordingly unless specified otherwise in this chapter (the more stringent applying).

- (1) Maximum height:Three (3) stories, but not to exceed forty (40) feet.
- (2) Minimum lot area:Ten (10) acres.
- (3) Minimum gross living area:Fifteen hundred (1,500) square feet.

- (4) Minimum lot width: Not applicable.
  - (5) Minimum lot depth: Not applicable.
  - (6) Front yard setback: Thirty (30) feet.
  - (7) Rear yard setback: Twenty-five (25) feet.
  - (8) Side yard setback: Twenty-five (25) feet.
  - (9) Maximum lot coverage by structure: Compliance with the established setbacks.
  - (10) Required parking: Two (2) car garage for land uses described in section 14.06.002(a)(2) of this chapter; all other uses will conform to article 14.12 of this chapter. Lots 5 acres or larger are permitted to have driveways constructed of concrete, asphalt, decomposed granite, rock or gravel. All driveways must be maintained and kept in good order.
  - (11) Required screening:
    - (A) All uses other than those described in section 14.06.002(a)(1), (2), (3), and (4) will have a six (6) foot masonry or wooden screening in compliance with article 14.09 of this chapter when abutting all residential districts, or as determined through the new development site plan review process.
    - (B) Land uses described in section 14.06.002(a)(8) will have a stockade variety fence (non-transparent) around the perimeter of the property.
  - (12) Minimum masonry coverage: Seventy-five percent (75%) first floor.
  - (13) Accessory building or use setback: Ten (10) feet minimums.
- (c) Special regulations.
- (1) Restrictions for the special use permit should include the following:
    - (A) First approval is not to exceed five (5) years.
    - (B) First extension not to exceed three (3) years.
    - (C) Each subsequent extension is not to exceed two (2) years, and will follow the same procedures as the original approval.

(Ordinance 414-97, ex. E, sec. 12.501, adopted 12/16/1997; Ordinance 811-20, sec. 2(E), (G), adopted 11/10/2020)

**§ 14.06.003. Class I - Special purpose: "FP" Flood Plain District.**

- (a) Use regulations. The "FP" Flood Plain District will be limited to the following uses:
- (1) Those uses described in section 14.06.002(a)(1), (3), and (4) of this chapter.
  - (2) Structures, installations and facilities installed, operated and maintained by public agencies for flood control purposes.
  - (3) Public service structures, including railways and highway bridges, provided that the location thereof shall first be recommended by the planning and zoning commission and approved by the

city council.

- (4) Mining of soil, sand, gravel and minerals after recommendation by the planning and zoning commission and approval by the city council.
  - (5) Irrigation intakes and pumps.
  - (6) Industrial compressor water intake and outlet works.
  - (7) Sumps.
  - (8) Wildlife sanctuaries, woodland preserves, arboretums.
  - (9) Public or private reserve space.
  - (10) Hunting or fishing preserves.
  - (11) Boat rental, boat sales.
  - (12) Bridle, bicycle and nature trails.
  - (13) Country clubs and recreation centers, excluding principal buildings.
  - (14) Golf courses, driving ranges, archery ranges.
  - (15) Christmas tree sales.
  - (16) Roads, driveways.
  - (17) Temporary buildings and structures accessory to the above uses, to be used for limited periods of time in accordance with all applicable ordinances and regulations.
  - (18) Parks, playgrounds or recreational areas owned and operated by the city.
  - (19) Installations owned and operated by the City of Willow Park, Parker County, the State of Texas or public utility companies, which installations are necessary for the public safety, governmental services or the furnishing of utility services including, without limitation, communications towers and water towers, are permitted in all zoning districts.
- (b) Zoning standards. Are set accordingly unless specified otherwise in this chapter (the more stringent applying).
- (1) Maximum height: Three (3) stories, but not to exceed forty (40) feet.
  - (2) Minimum lot area: Forty thousand (40,000) square feet.
  - (3) Minimum gross living area: Not applicable.
  - (4) Minimum lot width: One hundred twenty (120) feet.
  - (5) Minimum lot depth: One hundred seventy-five (175) feet.
  - (6) Front yard setback: Not applicable.
  - (7) Rear yard setback: Not applicable.
  - (8) Side yard setback: Not applicable.

- (9) Maximum lot coverage by structure: Not applicable.
  - (10) Required parking: All uses will conform to article 14.12 of this chapter and the UBC.
  - (11) Required screening: All uses other than those described in section 14.06.003(a)(1), (2), and (3) of this chapter will have a six (6) foot masonry or wooden screening in compliance with article 14.09 of this chapter when abutting all residential districts, or as determined through the new development site plan review process.
  - (12) Minimum masonry coverage: Not applicable.
  - (13) Accessory building or use setback: Ten (10) feet minimums.
- (c) Special regulations.
- (1) A thirty (30) foot setback is required from any right-of-way.
  - (2) All uses in the "FP" district will comply with the FEMA Flood Damage Ordinance No. 399-96 [article 3.03, division 2].
  - (3) The fact that land or property is not classified as being within the "FP" Flood Plain District shall not constitute assurance that said land or property is not subject to local flooding and the designation of a "FP" district.

(Ordinance 414-97, ex. E, sec. 12.502, adopted 12/16/1997; Ordinance 811-20, sec. 2(E), (G), adopted 11/10/2020)

**§ 14.06.004. Class I - Special purpose: "PD" Planned Development District.**

- (a) Use regulations.
- (1) The "PD" Planned Development District is a specialized zoning concept which has two specific uses:
    - (A) To set aside large parcels of land to be used for the development of mixed uses or special uses which will require approval of the planning and zoning commission and city council.
    - (B) To produce an overlay district to be used in conjunction with an existing base zoning district regardless of size, for the purpose of land uses which may require special controls to avoid interference with existing or planned uses.
  - (2) Such uses which have already been zoned or have the potential of being zoned as a "PD" Planned Development District include but are not limited to the following:
    - (A) Industrial/business centers or parks.
    - (B) Horse racing track and associated facilities.
    - (C) Truck stop/terminal or motor freight terminal.
    - (D) RV parks.
    - (E) Water/sewer/waste treatment and utility facilities.
    - (F) Outside storage yards.

- (G) Any land use regardless of existing zoning classification, but only in combination with another zoning district or districts which shall be known as the base zoning district.
  - (H) Installations owned and operated by the City of Willow Park, Parker County, the State of Texas or public utility companies, which installations are necessary for the public safety, governmental services or the furnishing of utility services including, without limitation, communications towers and water towers, are permitted in all zoning districts.
- (3) All uses in the "PD" Planned Development District will require a new development site plan under the provisions of section 14.10.007 of this chapter.
- (b) Standards. Are set accordingly or as determined through the new development site plan review process unless specified otherwise in this chapter (the more stringent applying).
- (1) Maximum height: Three (3) stories, but not to exceed forty (40) feet.
  - (2) Minimum lot area: Forty thousand (40,000) square feet.
  - (3) Minimum gross living area: Fifteen hundred (1500) square feet.
  - (4) Minimum lot width: One hundred twenty (120) feet.
  - (5) Minimum lot depth: One hundred seventy-five (175) feet.
  - (6) Front yard setback: Twenty-five (25) feet.
  - (7) Rear yard setback: Twenty-five (25) feet.
  - (8) Side yard setback: Ten (10) feet, or twenty-five (25) feet if adjacent to any residential district.
  - (9) Maximum lot coverage by structure: Forty percent (40%) or compliance with the more stringent base zoning district standards, or as determined through the site plan review process.
  - (10) Required parking: Compliance with article 14.12 of this chapter and the UBC or as determined through the new development site plan review process.
  - (11) Required screening: Compliance with article 14.09 of this chapter or as determined through the new development site plan review process.
  - (12) Minimum masonry coverage: Fifty percent (50%) or compliance with the more stringent base zoning district standards, or as determined through the new development site plan review process.
  - (13) Accessory building or use setback: Ten (10) feet minimums.
- (c) Special regulations.
- (1) All uses in the "PD" Planned Development District will require a new development site plan under the provisions of section 14.10.007 of this chapter.
  - (2) Property classified under the "PD" district which are overlaid over another zoning district must comply with the standards and special regulations of the more stringent base zoning district, or as determined through the new development site plan review process.
  - (3) Property classified under the "PD" district which are overlaid over another zoning district will revert back to base zoning district restrictions when the requested land use is discontinued, or as

determined through the new development site plan review process.  
(Ordinance 414-97, ex. E, sec. 12.503, adopted 12/16/1997; Ordinance 811-20, sec. 2(G), adopted 11/10/2020)

**§ 14.06.005. Class II - Residential: "R-1" Single-Family District.**

- (a) Use regulations.The "R-1" Single-Family District will be limited to the following uses:
- (1) Single-family dwellings.
  - (2) Churches.
  - (3) Foster child care homes (maximum of six children includes those of the resident parents).
  - (4) Libraries, museums, parks and playgrounds, community centers and governmental facilities (excluding care facilities, or those controlled by the city or other governmental jurisdiction).
  - (5) Golf courses (except commercially operated miniature golf courses and/or driving ranges).
  - (6) Customary home occupations (as defined in section 14.04.001, Definitions, of this chapter).
  - (7) Public elementary and secondary schools.
  - (8) Accessory buildings or uses.
  - (9) Special exception uses after recommendation by the planning and zoning commission and approval by the city council.
  - (10) Installations owned and operated by the City of Willow Park, Parker County, the State of Texas or public utility companies, which installations are necessary for the public safety, governmental services or the furnishing of utility services including, without limitation, communications towers and water towers, are permitted in all zoning districts.
- (b) Zoning standards.Are set accordingly unless specified otherwise in this chapter (the more stringent applying).
- (1) Maximum height:Two (2) stories, but not to exceed thirty (30) feet.
  - (2) Minimum lot area:Forty thousand (40,000) square feet.
  - (3) Minimum gross living area:Fifteen hundred (1,500) square feet.
  - (4) Minimum lot width:One hundred twenty (120) feet.
  - (5) Minimum lot depth:One hundred seventy-five (175) feet.
  - (6) Front yard setback:Thirty (30) feet.
  - (7) Rear yard setback:Twenty-five (25) feet.
  - (8) Side yard setback:Twenty-five (25) feet.
  - (9) Maximum lot coverage by structure:Forty percent (40%).
  - (10) Required parking:Two (2) car attached garage. Garage type openings shall not be less than 45 degrees to the frontal street.

- (11) Required screening: Six (6) foot masonry or wooden screening in compliance with article 14.09 of this chapter.
- (12) Minimum masonry coverage: Seventy-five percent (75%) first floor.
- (13) Accessory building or use setback: Shall be located no closer to the front property line than the primary use structure and have a minimum of ten (10) foot setback from all side and rear property lines.

(c) Special regulations.

- (1) Dish satellite antennas shall be considered an accessory use in the "R-1" district, provided such antennas shall be located in the rear yard. Front or side yard locations are permitted provided an approved screening device is used.
- (2) [Deleted by Ord. 811-20.]
- (3) Portable trailers may be used as offices or storage trailers located within a new sub-development subject to the following provisions:
  - (A) No more than one (1) trailer per platted subdivision.
  - (B) Trailer must be located at least one hundred fifty (150) feet from any occupied residence.
  - (C) A time limit of one (1) year.

(Ordinance 414-97, ex. E, sec. 12.504, adopted 12/16/1997; Ordinance 745-17, sec. 2(A), adopted 4/11/2017; Ordinance 746-17, sec. 2(A), adopted 4/11/2017; Ordinance 811-20, sec. 2(B), (G), adopted 11/10/2020; Ordinance adopting 2024 Code)

**§ 14.06.006. Class II - Residential: "R-1/s" Single-Family District with sewer.**

- (a) Use regulations. The "R-1/s" Single-Family District with sewer will be limited to the following uses:
  - (1) Any use permitted in section 14.06.005 (R-1 Residential District).
  - (2) Special exception uses after recommendation by the planning and zoning commission and approval by the city council.
  - (3) Installations owned and operated by the City of Willow Park, Parker County, the State of Texas or public utility companies, which installations are necessary for the public safety, governmental services or the furnishing of utility services including, without limitation, communications towers and water towers, are permitted in all zoning districts.
- (b) Zoning standards. Are set accordingly unless specified otherwise in this chapter (the more stringent applying).
  - (1) Maximum height: Two (2) stories, but not to exceed thirty (30) feet.
  - (2) Minimum lot area: Twenty thousand (20,000) square feet.
  - (3) Minimum gross living area: Eighteen hundred (1,800) square feet.
  - (4) Minimum lot width: One hundred twenty (120) feet.
  - (5) Minimum lot depth: One hundred seventy-five (175) feet.

- (6) Front yard setback:Thirty (30) feet.
  - (7) Rear yard setback:Twenty-five (25) feet.
  - (8) Side yard setback:Twenty-five (25) feet.
  - (9) Maximum lot coverage by structure:Forty percent (40%).
  - (10) Required parking:Two (2) car attached garage. Garage type openings shall not be less than 45 degrees to the frontal street.
  - (11) Required screening:Six (6) foot masonry or wooden screening in compliance with article 14.09 of this chapter.
  - (12) Minimum masonry coverage:Seventy-five percent (75%).
  - (13) Accessory building or use setback:Shall be located no closer to the front property line than the primary use structure and have a minimum of ten (10) foot setback from all side and rear property lines.
- (c) Special regulations.
- (1) Special regulations section 14.06.005(c)(1), (2), and (3) shall apply to this district.
  - (2) Every property located within this district shall have access to the city wastewater system. If said property is improved for any type of use that requires a sanitation system, such property shall connect to and utilize the city wastewater system.
  - (3) Septic systems of all types are strictly prohibited within this district.  
(Ordinance 432-98 adopted 11/17/1998; Ordinance 743-17 adopted 3/14/2017; Ordinance 745-17, sec. 2(B), adopted 4/11/2017; Ordinance 746-17, sec. 2(B), adopted 4/11/2017; Ordinance 811-20, sec. 2(G), adopted 11/10/2020)

**§ 14.06.007. Class II - Residential: "R-2" Single-Family/Duplex District.**

- (a) Use regulations.The "R-2" Single-Family/Duplex District will be limited to the following uses:
- (1) Any use permitted in section 14.06.005 (R-1 Residential District).
  - (2) Duplex family dwellings.
  - (3) Special exception uses after recommendation by the planning and zoning commission and approval by the city council.
  - (4) Installations owned and operated by the City of Willow Park, Parker County, the State of Texas or public utility companies, which installations are necessary for the public safety, governmental services or the furnishing of utility services including, without limitation, communications towers and water towers, are permitted in all zoning districts.
- (b) Zoning standards.Are set accordingly unless specified otherwise in this chapter (the more stringent applying).
- (1) Maximum height:Two (2) stories, but not to exceed thirty (30) feet.
  - (2) Minimum lot area:Forty thousand (40,000) square feet.

- (3) Maximum family dwelling units: Two (2) dwelling units per acre.
  - (4) Minimum gross living area: Fifteen hundred (1,500) square feet per dwelling unit.
  - (5) Minimum lot width: One hundred (100) feet.
  - (6) Minimum lot depth: One hundred fifty (150) feet.
  - (7) Front yard setback: Twenty-five (25) feet.
  - (8) Rear yard setback: Twenty-five (25) feet.
  - (9) Side yard setback: Twenty-five (25) feet.
  - (10) Maximum lot coverage by structure: Forty percent (40%).
  - (11) Required parking: Two (2) car attached garage. Garage type openings shall not be less than 45 degrees to the frontal street.
  - (12) Required screening: Six (6) foot masonry or wooden screening in compliance with article 14.09 of this chapter.
  - (13) Minimum masonry coverage: Seventy-five percent (75%) first floor.
  - (14) Accessory building or use setback: Shall be located no closer to the front property line than the primary use structure and have a minimum of ten (10) foot setback from all side and rear property lines.
- (c) Special regulations. Special regulations section 14.06.005(c), (1), (2), and (3) shall apply to this district.  
(Ordinance 414-97, ex. E, sec. 12.505, adopted 12/16/1997; Ordinance 745-17, sec. 2(C), adopted 4/11/2017; Ordinance 746-17, sec. 2(C), adopted 4/11/2017; Ordinance 811-20, sec. 2(G), adopted 11/10/2020)

**§ 14.06.008. Class II - Residential: "R-3" Multifamily District.**

- (a) Use regulations. The R-3 Multifamily District will be limited to the following uses:
- (1) Any use permitted in R-2 Residential District.
  - (2) Tri-plexes, four-plexes, condominiums, and apartments.
  - (3) Accessory uses and buildings.
  - (4) Special exemption uses after recommendation by the planning and zoning commission and approval by the city council.
  - (5) Installations owned and operated by the City of Willow Park, Parker County, the State of Texas or public utility companies, which installations are necessary for the public safety, governmental services or the furnishing of utility services including, without limitation, communications towers and water towers, are permitted in all zoning districts.
- (b) Zoning standards.
- (1) Density:

- (A) Maximum apartments contained in multifamily dwelling unit: 8 [18] per acre.

**Editor's note**—The introductory paragraph of sec. 2(C) of Ord. 811-20 states that subsection (b)(1)(A) of section 14.06.008 shall be amended by changing the density of apartments from eight per acre to eighteen per acre. The actual text of the amendment did not reflect such change.

- (B) Occupancy may not exceed 2 people per bedroom.

(2) Height regulations:

- (A) Main building maximum height: 2 stories, not to exceed 30 feet, except within the I-20 Overlay, which height restrictions shall apply to buildings within the I-20 Overlay.

- (B) Cooling towers are not permitted.

(3) Area regulations:

- (A) Minimum project size: 5 acres.

- (B) Minimum lot area: 15,000 square feet.

- (C) Maximum lot coverage by structure: 45%.

- (D) Minimum lot width: 100 feet.

- (E) Minimum lot depth: 150 feet.

- (F) Minimum building separation: 1 story - 20 feet, 2 stories - 25 feet.

- (G) Minimum separation to accessory buildings: 10 feet.

- (H) Minimum front (and street) yard setback: 35 feet for a 1-story building, 40 feet for a 2-story building and 50 feet for a 3-story building. Eaves and roof extensions may project into the required front yard setback by no more than 4 feet. Building subsurface structure, platforms and/or slabs may not project [may project] into the front yard area by a height less than 2 feet above the average grade of the yard.

- (I) Minimum side and back yard setbacks: 25 feet.

- (J) Minimum gross living area: 1 bedroom (BR) - 725 square feet, 2 BR - 875 square feet, add 125 square feet for each additional over 2 BR. Only the indoor space shall be used to calculate the square footage. Balconies and exterior storage shall not be considered in the calculation.

- (K) Every apartment shall have at least one (1) habitable room which shall have not less than one hundred twenty (120) square feet of floor area.

- (L) Bedrooms may not be less than eight feet (8') in any floor dimension.

(4) Exterior construction and design regulations.

- (A) Minimum standard masonry construction: 85% of exterior cladding of the structure. Masonry construction shall include all construction of a minimum of two different coordinated stone and/or brick materials, defined as follows:

- (i) Stone material. Masonry construction using stone material may consist of granite, marble, limestone, slate, river rock or other hard and durable naturally occurring all-weather stone. Cut stone and dimensioned stone techniques are acceptable.
  - (ii) Brick material. Brick material used for masonry construction shall be hard fired (kiln fired) clay or slate material which meets the latest version of ASTM standard C216, Standard Specifications for Face Brick (Solid Masonry Unit Made of Clay or Shale) and be Severe Weather (SW) grade and type FBA or FBS or better. Unfired or underfired clay, sand or shale brick are not allowed.
- (B) Facade articulation (offsets) of not less than 4 feet in depth are required for every 40 feet in building surface length.
  - (C) All patios shall not protrude more than 1 foot from surrounding building exterior.
  - (D) Maximum multifamily dwelling width: 200 feet.
  - (E) All exterior stairways must be recessed within the building line.
  - (F) All multifamily dwellings shall provide signage that clearly identifies the building number(s) of the apartments located within. The marking should be visible from entrances and from vehicular drive lanes.
- (5) Parking regulations.
- (A) Minimum parking spaces per multifamily dwelling:
    - (i) One and one-half spaces for each one-bedroom apartment;
    - (ii) Two and one-half spaces for each two-bedroom apartment; and
    - (iii) Three and one-half spaces for each three-bedroom apartment.
  - (B) A minimum of 10% of apartments shall have a garage, which shall count towards the covered parking requirements set forth in subsection (A) above.
  - (C) Total parking spaces shall be rounded up to the nearest whole number.
  - (D) Minimum garage parking space size: 10 feet x 20 feet, minimum nine (9) foot wide door with lighted door opener.
  - (E) Perimeter of parking lots (and associated facility driveways) shall have concrete curbs or other means to control traffic flow.
  - (F) Parking spaces shall be at least 6 feet from buildings and 2 feet from side or rear lot lines.
  - (G) Parking spaces shall not be used for overnight storage of boats, campers, trailers, semi-trucks and motor home type vehicles. Parking spaces shall not be used for repair, storage, dismantling, or servicing (other than normal maintenance of a private vehicle) of vehicles or equipment, or for the storage of materials or supplies, or for any other use that conflicts with the intended use of parking.
  - (H) Parking spaces adjacent to public streets shall be screened from view. Screening shall be in the form of live plants, berms, wrought iron fencing, or low masonry walls matching exterior finish of the main buildings or any combination of the above.

- (I) It is the responsibility of the multifamily dwelling owner to monitor and maintain all off-street parking areas keeping them free of litter, vehicle repair operations, and unauthorized advertising materials.
  - (J) All parking areas shall have appropriate lighting positioned in such a way as to not illuminate adjacent residential areas.
- (6) Fencing, walls, and screening regulations.
- (A) Unless otherwise stated in this section, article 14.09 shall control.
    - (i) Wooden fences are not permitted.
    - (ii) Chain-link fencing is not permitted.
    - (iii) Screening shall be constructed of masonry, brick, stone, reinforced concrete, wrought iron or some other suitable material that does not contain pass-through openings. All pass-through openings shall be equipped with a gate of similar height and similar screening characteristics of the wall or fence.
- (7) Landscaping regulations.
- (A) Unless otherwise specified all landscaping must comply with section 14.09.002.
- (8) Driveway and parking regulations.
- (A) Unless otherwise specified all drive and parking areas must comply with article 14.12.
- (9) Irrigation regulations. Unless otherwise specified all irrigation must comply with section 12.204 [sic].
- Editor's note**—Subsection (b)(9), as adopted by Ord. 628-10, refers to section 12.204. Section 12.204 was reserved in the zoning regulations as adopted by Ord. 414-97.
- (10) Supplemental regulations.
- (A) Designated refuse storage facilities shall be provided within 250 feet of each multifamily dwelling. Refuse containers shall not be placed within 30 feet of a property line.
  - (B) Each refuse facility shall be located to facilitate collection by service providers and to minimize parking lot wear and tear.
  - (C) Refuse facilities shall be constructed on three sides of material which matches the main building to screen facility from direct view.
  - (D) A screened swimming pool shall be provided for multifamily developments with 50 or more apartments. All pools shall comply with the Texas Health and Safety Code.
  - (E) A playground shall be provided when the number of apartments not designated as senior living exceeds 30 units.
  - (F) All multifamily dwellings must be connected to parking areas and accessory areas by concrete sidewalks. Sidewalks shall connect multifamily dwellings to parking areas and accessory buildings. All sidewalks shall be at least 4 feet in width. Sidewalks adjacent to parking lots width shall be widened to 6 feet to account for car overhang, if applicable.

(c) Special regulations.

- (1) Special regulations section 14.06.005(c)(1) and (c)(3) shall apply in this district.
- (2) All utilities must be independently metered except water.
- (3) A reduced pressure zone backflow preventer shall be installed at the junction between the city water supply and the multifamily dwelling at the owner's expense.
- (4) All multifamily dwellings and apartments contained therein must have a fire suppression sprinkler system installed per the currently adopted International Building Code and International Fire Code, both of which may be amended from time to time.
- (5) No on-premises banner signs or other outdoor advertising is permitted on the dwellings or fencing associated therewith.

**Editor's note**—Sections 2(C) and 2(E) of Ord. 811-20 both contained an amendment to section 14.06.008(c). The subsection regarding certificate of occupancy was deleted by section 2(C), but was included in the amendment by section 2(E) as subsection (c)(5). Subsection (c) above is as set out in section 2(C) of the ordinance.

(d) Penalties. Violations and penalties, are pursuant to article 14.22.

(Ordinance 414-97, ex. E, sec. 12.506, adopted 12/16/1997; Ordinance 628-10 adopted 12/13/2010; Ordinance 673-13 adopted 8/13/2013; Ordinance 811-20, sec. 2(C), (E), (G), adopted 11/10/2020)

**§ 14.06.009. Class II - Residential: "R-4" Manufactured Housing District.**(a) Use regulations. The "R-4" Manufactured Housing District shall be limited to the following uses:

- (1) Manufactured housing parks in accordance with federal and Texas state laws and regulations.
- (2) Manufactured housing subdivisions where the individual platted lots within the approved subdivision are intended to have separate ownership of each lot.
- (3) Accessory buildings and uses.
- (4) Special exception uses after recommendation by the planning and zoning commission and approval by the city council.
- (5) Installations owned and operated by the City of Willow Park, Parker County, the State of Texas or public utility companies, which installations are necessary for the public safety, governmental services or the furnishing of utility services including, without limitation, communications towers and water towers, are permitted in all zoning districts.

(b) Zoning standards. Are set accordingly unless specified otherwise in this chapter (the more stringent applying).

- (1) Maximum height: Two (2) stories, but not to exceed thirty (30) feet.
- (2) Minimum lot area: Forty thousand (40,000) square feet.
- (3) Maximum family dwelling units: One (1) dwelling unit per acre.
- (4) Minimum gross living area: Thirteen hundred (1,300) square feet.

- (5) Minimum lot width: One hundred twenty (120) feet.
  - (6) Minimum lot depth: One hundred seventy-five (175) feet.
  - (7) Front yard setback: Thirty (30) feet.
  - (8) Rear yard setback: Twenty-five (25) feet.
  - (9) Side yard setback: Twenty-five (25) feet.
  - (10) Maximum lot coverage by structure: Forty percent (40%).
  - (11) Required parking: Two (2) car covered parking per dwelling unit. When the parking structure is partially enclosed, garage type openings shall not face the frontal street, as defined in section 14.04.001 of this chapter.
  - (12) Required screening: Six (6) foot masonry or wooden screening in compliance with article 14.09 of this chapter.
  - (13) Minimum masonry coverage: Thirty percent (30%).
  - (14) Accessory building or use setback: Shall be located no closer to the front property line than the primary use structure and have a minimum of ten (10) foot setback from all side and rear property lines.
- (c) Special regulations.
- (1) All manufactured housing will be HUD-approved as defined by the State of Texas.
  - (2) All manufactured housing will be required to be secured with tornado tie-downs spaced not more than eight (8) feet apart.
  - (3) All manufactured housing will be anchored to a permanent concrete foundation, which shall include the access areas and entrances to the dwelling.
  - (4) All manufactured housing anchored above grade will require masonry skirting.
  - (5) No parking shall be permitted in the front yard except in a driveway.
  - (6) Special regulation of section 14.06.005(c)(1) shall apply to this district.
  - (7) Manufactured housing sales lots shall not be permitted within this district.
- (Ordinance 414-97, ex. E, sec. 12.507, adopted 12/16/1997; Ordinance 745-17, sec. 2(D), adopted 4/11/2017; Ordinance 811-20, sec. 2(G), adopted 11/10/2020)

**§ 14.06.010. Class II - Residential: "R-5" Single-Family Medium Density District.**

- (a) Use regulations. The "R-5" Single-Family Medium Density District will be limited to the following uses:
- (1) Application to large parcels of land to be used for the development of single-family residential uses which require approval of the planning and zoning commissions and city council.
  - (2) All homes shall be site-built homes only.
  - (3) Installations owned and operated by the City of Willow Park, Parker County, the State of Texas

or public utility companies, which installations are necessary for the public safety, governmental services or the furnishing of utility services including, without limitation, communications towers and water towers, are permitted in all zoning districts.

- (b) Zoning standards: Are set accordingly unless specified otherwise in this chapter (the more stringent applying).
- (1) Maximum height. Two (2) stories, but not to exceed thirty (30) feet.
  - (2) Minimum lot area. Nine thousand (9,000) square feet.
  - (3) Maximum family dwelling units. Six (6) dwelling units per acre.
  - (4) Minimum gross living area. The following ranges must be followed per each defined subdivision: 50% 1700 - 2000 square feet; 50% greater than 2000 square feet.
  - (5) Front yard setback. Twenty-five (25) feet, from the edge of the sidewalk closest to the residence.
  - (6) Rear yard setback. Ten (10) feet.
  - (7) Side yard setback. Ten (10) feet.
  - (8) Maximum lot coverage by structure. Forty-five percent (45%).
  - (9) Required parking. Two (2) car attached garage per dwelling unit. Front entrance garages are permitted. Detached garages with alley access are permitted on lots larger than 1/4 acre.
  - (10) Required screening. Rear and rear-side yards shall be enclosed with masonry or wooden screening. Screening shall be a minimum of six (6) foot and a maximum of eight (8) foot in height. Wooden screening shall be built with steel reinforced concrete footer which shall be four (4) inches in depth and a minimum six (6) inches wide. Footer shall have drainage holes as necessary. Screening poles shall be metal and set in concrete. All screening shall be uniform throughout individual subdivisions. Developments done in phases shall ensure that screening is complementary in style and colors.
  - (11) Minimum masonry coverage. One hundred percent (100%) below highest top plate. Fireplaces and chimneys must be 100% masonry.
  - (12) Landscape requirements. Front and front side yards shall be sodded. The front yard shall have minimum of two (2) trees with minimum three (3) inch trunk diameter as measured twelve (12) inches above the ground and a minimum of six (6) shrubs. Said shrubs shall be a minimum of five (5) gallons at the time of planting. At time of planting, trees shall not be placed nearer than six (6) feet on center.
  - (13) Architectural relief required. The outside shape of a dwelling unit shall contain a minimum of five (5) outside corners with a minimum wall length of two (2) feet.
  - (14) Repetition of building form.
    - (A) Repetition of facade. No front building elevation or plan for a primary structure shall be repeated within any three contiguous lots along a street or streets.
      - (i) "Block face" means lots taking access from a street that are contiguous to each other and that are not separated by a street.

- (ii) The three hundred (300) foot distance along a street shall be measured from the centerline of the street on which the proposed structure faces at a point perpendicular to the center point of the lot to contain the structure, thence along the centerline of such street or along an intersecting street for a distance of three hundred (300) feet.
- (B) Criteria for determining difference in elevation. A front building elevation or elevation plan shall be considered repeated if it is not visually different from another front building elevation or elevation plan. A front building elevation or elevation plan shall be considered visually different if any three (3) of the following five (5) criteria are met:
- (i) "Block face" means lots taking access from a street that are contiguous to each other and that are not separated by a street.
  - (ii) There is a difference in roof pitch of two (2) inches per twelve (12) inches or greater;
  - (iii) Articulations in the front facade, i.e., the planes that advance or recede from the line of the main facade by three (3) or more feet, vary in height or width by a minimum of fifteen (15) percent;
  - (iv) The articulation of windows shall vary a minimum of two (2) of the following methods:
    - a. The aggregate area of windows on the front facade varies by at least fifteen (15) percent;
    - b. The distance between two (2) or more windows varies by at least ten (10) percent; or
    - c. The shape of two (2) or more windows varies in width or height or radius by at least fifteen (15) percent.
  - (v) The size and shape, or mix, of masonry units (i.e. individual bricks or blocks of stone) are noticeably different. "Noticeably different" as specified herein shall mean at least a fifteen (15) percent variance in size, shape or mix.
- (C) [Deleted by Ord. 811-20.]
- (D) Variations not considered. Variations in the following characteristics shall not be considered in determining whether a building elevation for a primary structure is dissimilar:
- (i) Color, or
  - (ii) Roofing materials.
- (E) Determination by building official.
- (i) The building official shall have discretion to approve minor variations in the requirements of this section, so long as those variations are consistent with the overall intent of this section.
  - (ii) The following process shall be used to approve a front building elevation plan:
    - a. The applicant shall submit a dimensioned rendering of the front building elevation to the building official.

- b. The building official shall determine the elevation plan's compliance with this section and issue an elevation plan approval letter or disapproval letter to the applicant.
  - c. The applicant shall prepare and submit construction plans to the building official, who shall process the plans in accordance with city ordinances and policies.
  - d. The elevation plan approval letter, if issued, shall remain in effect until the completion of the construction plan approval process and the issuance of the building permit for the proposed structure.
  - e. Complete construction plans shall be submitted to the building official within thirty (30) calendar days of the date of the approval letter. If construction plans are not submitted within such period, the elevation plan approval expires.
  - f. Construction plans shall be consistent with the approved elevation plan. If construction plans are inconsistent, consistent plans shall be submitted or a new elevation plan must be approved for the construction plans under the criteria of this section.
- (F) Minimum roof pitch required.A minimum 7:12 roof pitch is required for each primary structure.
- (G) Minimum overhang required.Each primary structure must be constructed with a roof overhang of not less than twelve (12) inches as measured from the finished exterior building facade to the soffit.
- (H) Roofing system required.Installed roofing shingles must consist of dimensional shingles with a minimum manufacturer's rating of twenty (20) years. Roofing systems or materials exceeding the standards established herein may be used pursuant to approval by the building official or his designee.
- (c) Special regulations.
- (1) Portable trailers may be used as offices or storage trailers located within a new sub-development subject to the following provisions:
    - (A) No more than one (1) trailer per platted subdivision;
    - (B) Trailer must be located at least one hundred fifty (150) feet from any occupied residence;
    - (C) A time limit of one (1) year.
  - (2) All streets shall be constructed of concrete, with curb and gutter and adjacent sidewalks.
  - (3) Connectivity to adjacent subdivisions or commercial areas must be provided.
  - (4) Amenity provisions:
    - (A) Pocket parks or subdivision specific green space;
    - (B) Benches in common areas;
    - (C) Enhanced landscaping;

- (D) Enhanced lighting, where appropriate;
- (E) Trees planted along streets or roadways;
- (F) Homeowner association shall maintain all common area or common to all amenities;
- (G) All utilities shall be buried underground.

(Ordinance 513-004 adopted 4/20/2004; Ordinance 703-15 adopted 1/13/2015; Ordinance 811-20, sec. 2(D), (G), adopted 11/10/2020)

**§ 14.06.011. Class II - Residential "TH" Townhome District.**

(a) Use regulations.

- (1) Townhome.
- (2) Churches.
- (3) Libraries, museums, parks and playgrounds, community centers and governmental facilities.
- (4) Golf courses.
- (5) Customary home occupations.
- (6) Public elementary and secondary schools.
- (7) Installations owned and operated by the City of Willow Park, Parker County, the State of Texas or public utility companies, which installations are necessary for the public safety, governmental services or the furnishing of utility services including, without limitation, communications towers and water towers, are permitted in all zoning districts.

(b) Zoning standards.

- (1) Maximum height:Two (2) stories, but not to exceed thirty (30) feet.
- (2) Minimum lot area:Three thousand five hundred (3,500) square feet.
- (3) Minimum living area:One thousand two hundred (1,200) square feet.
- (4) Minimum lot width:Thirty-five (35) feet.
- (5) Minimum lot depth:One hundred (100) feet.
- (6) Front yard setback:Twenty (20) foot minimum or twenty-five (25) foot minimum if a sidewalk is adjacent to property line.
- (7) Rear yard setback:Twenty (20) foot minimum. If more than one story or adjacent to Single Family District forty (40) foot minimum.
- (8) Side yard setback:Interior lot fifteen (15) feet. Street lot twenty (20) feet or 25 feet minimum if a sidewalk is adjacent to property line.
- (9) Maximum lot coverage by structure:Fifty-five (55) percent of lot area.
- (10) Required parking:Two (2) car attached garage.

- (11) Required screening: Six (6) foot wood or masonry fence side and rear yard.
  - (12) Minimum masonry coverage: Eighty-five percent (85%) of the total exterior walls above grade level excluding doors and windows. Masonry for the "TH" District is defined as brick or stone.
  - (13) Accessory building: Eighty (80) square foot maximum located in rear yard. Maximum height may not exceed the height of the fence.
- (c) Site plan requirement. An application for a change in zoning to the "TH" Townhouse District shall be accompanied with a site plan that clearly illustrates the development concept of the land being rezoned. Any property zoned "TH" that has not had a site plan approved at the time of zoning shall have a site plan approved by the city council upon recommendation of the planning and zoning commission, prior to issuing any building permit for construction.  
(Ordinance 747-17, sec. 3, adopted 3/14/2017; Ordinance 811-20, sec. 2(G), adopted 11/10/2020)

**§ 14.06.012. Class III - Business: "O" Office District.**

- (a) Use regulations. The "O" Office District will be limited to the following uses, residential uses are not permitted in this district:
- (1) Banks, financial institutions.
  - (2) Blueprinting or photostating (not greater than 2,500 square feet).
  - (3) Caterer or wedding service (no on-site food preparation).
  - (4) Real estate offices.
  - (5) Professional offices (architectural, drafting, engineering, accounting, legal, insurance, medical and dental clinics).
  - (6) Artist's studios.
  - (7) Museums, libraries, fine art centers, and similar cultural facilities.
  - (8) Special exception uses after recommendation by the planning and zoning commission and approval by the city council.
  - (9) Installations owned and operated by the City of Willow Park, Parker County, the State of Texas or public utility companies, which installations are necessary for the public safety, governmental services or the furnishing of utility services including, without limitation, communications towers and water towers, are permitted in all zoning districts.
- (b) Zoning standards. Are set accordingly unless specified otherwise in this chapter (the more stringent applying).
- (1) Maximum height: Two (2) stories, but not to exceed thirty (30) feet.
  - (2) Minimum lot area: Not applicable.
  - (3) Minimum gross living area: Not applicable.
  - (4) Minimum lot width: One hundred (100) feet.
  - (5) Minimum lot depth: One hundred (100) feet.

- (6) Front yard setback: Twenty-five (25) feet.
  - (7) Rear yard setback: Twenty-five (25) feet.
  - (8) Side yard setback: Ten (10) feet, or twenty-five (25) feet if adjacent to any residential district.
  - (9) Maximum lot coverage by structure: Sixty percent (60%).
  - (10) Required parking: Compliance with article 14.12 of this chapter and the UBC or as determined through the new development site plan review process.
  - (11) Required screening: Compliance with article 14.09 of this chapter or as determined through the new development site plan review process.
  - (12) Minimum masonry coverage: Seventy-five percent (75%) first floor.
  - (13) Accessory building or use setback: Ten (10) feet minimums.
- (c) [Deleted by Ord. 811-20.]
- (1) [Deleted by Ord. 811-20.]
- (Ordinance 414-97, ex. E, sec. 12.508, adopted 12/16/1997; Ordinance 811-20, sec. 2(E), (G), adopted 11/10/2020)

**§ 14.06.013. Class III - Business: "LR" Local Retail District.**

- (a) Use regulations. The "LR" Local Retail District will be for retail sales only and limited to the following uses, residential uses are not permitted in this district:
- (1) Any uses permitted in section 14.06.012 (Office District).
  - (2) Antique shops.
  - (3) Barber and beauty shops.
  - (4) Book and stationery stores, newsstands.
  - (5) Cleaning, pressing and laundry collection offices.
  - (6) Custom dressmaking or millinery shops.
  - (7) Day care nursery or schools.
  - (8) Express offices.
  - (9) Service stations (no repair work).
  - (10) Health and medical products for personal use.
  - (11) Grocery stores, vegetable and meat markets.
  - (12) Photograph, portrait, camera shops and photofinishing.
  - (13) Bakeries.
  - (14) Caterer or wedding service.

- (15) Cigar or tobacco stores.
  - (16) Confectionery stores.
  - (17) Restaurants, cafes, cafeterias, delicatessen shops.
  - (18) Drugstores, health stores.
  - (19) Dry goods, variety, and notions stores.
  - (20) Florist, jewelry, and gift shops.
  - (21) Shoeshine parlors.
  - (22) Radio and television sales and servicing.
  - (23) Tailor, clothing or wearing apparel shops.
  - (24) Mortuary, funeral homes and undertaker.
  - (25) Accessory buildings and uses customarily incident to any of the above uses. No accessory use shall be construed as allowing articles or material to be in the open or on the outside of the building.
  - (26) Special exception uses after recommendation by the planning and zoning commission and approval by the city council.
  - (27) Installations owned and operated by the City of Willow Park, Parker County, the State of Texas or public utility companies, which installations are necessary for the public safety, governmental services or the furnishing of utility services including, without limitation, communications towers and water towers, are permitted in all zoning districts.
- (b) Zoning standards. Are set accordingly unless specified otherwise in this chapter (the more stringent applying).
- (1) Maximum height: Two (2) stories, but not to exceed thirty (30) feet.
  - (2) Minimum lot area: Not applicable.
  - (3) Minimum gross living area: Not applicable.
  - (4) Minimum lot width: One hundred (100) feet.
  - (5) Minimum lot depth: One hundred (100) feet.
  - (6) Front yard setback: Twenty-five (25) feet.
  - (7) Rear yard setback: Twenty-five (25) feet.
  - (8) Side yard setback: Ten (10) feet, or twenty-five (25) feet if adjacent to any residential district.
  - (9) Maximum lot coverage by structure: Sixty percent (60%).
  - (10) Required parking: Compliance with article 14.12 of this chapter and the UBC or as determined through the new development site plan review process.
  - (11) Required screening: Compliance with article 14.09 of this chapter or as determined through the

new development site plan review process.

(12) Minimum masonry coverage: Seventy-five percent (75%) first floor.

(13) Accessory building or use setback: Ten (10) feet minimums.

(c) Special regulations.

(1) All retail shops will not exceed 7,200 square feet.

(Ordinance 414-97, ex. E, sec. 12.509, adopted 12/16/1997; Ordinance 811-20, sec. 2(E), (G), adopted 11/10/2020)

**§ 14.06.014. Class III - Business: "C" Commercial District.**

(a) Use regulations. The "C" Commercial District will be limited to the following uses, residential uses are not permitted in this district:

- (1) Any use permitted in section 14.06.013 (Local Retail District).
- (2) Auditoriums, theaters, moving picture shows, having a seating capacity for not more than one thousand five hundred (1,500) people.
- (3) Turkish baths and similar massage and health treatment facilities.
- (4) Bicycles sales and repair shops.
- (5) Aquariums, bird stores, pet shops, and taxidermist's shops.
- (6) Car washing facilities.
- (7) Cleaning, dyeing and pressing works; laundry and washateria.
- (8) Commercial parking areas.
- (9) Business colleges and private schools operated as a commercial enterprise.
- (10) Department stores.
- (11) Small animal hospitals having no outside kennels.
- (12) Electrical, gas, heating, plumbing appliances and supply sales, repair and installation services when limited to small shops, the principal business of which is a neighborhood service.
- (13) Hardware, paint and wallpaper, interior decorating stores.
- (14) Household and office furniture, furnishings and appliances.
- (15) Hotel and motels.
- (16) Golf courses including miniature, driving tees, driving ranges, and "Pitch n' Putt" courses.
- (17) Lodges and civic clubs.
- (18) Nursery yards or buildings, provided that all incidental equipment and supplies including fertilizer and empty containers are kept within a building.
- (19) Pawnshops.

- (20) Musical instrument sales and supplies.
- (21) [Deleted by Ord. 833-21.]
- (22) Accessory buildings and incidental uses. No accessory use shall be construed as allowing articles or material to be in the open or on the outside of the building.
- (23) Diagnostic or treatment health care facility or assisted living facility.
- (24) Special exception uses after recommendation by the planning and zoning commission and approval by the city council.
- (25) Installations owned and operated by the City of Willow Park, Parker County, the State of Texas or public utility companies, which installations are necessary for the public safety, governmental services or the furnishing of utility services including, without limitation, communications towers and water towers, are permitted in all zoning districts.
- (26) Auto body repair within a fully enclosed shop area (special use permit required).
- (27) Commercial amusement - indoor (special use permit required).
- (28) Commercial amusement - outdoor (special use permit required).

**Editor's note**—Ord. 829-21 amended sec. 14.06.014 by adding provisions designated as subsection (a)(25). Subsection (a) already contained a subsection (a)(25). The added provisions have been included as subsection (a)(26). Ord. 834-21 added provisions designated as subsections (a)(26) and (27). These provisions have been included as subsections (a)(27) and (28).

- (b) Zoning standards. Are set accordingly unless specified otherwise in this chapter (the more stringent applying).
  - (1) Maximum height: Not to exceed forty (40) feet.
  - (2) Minimum lot area: Not applicable.
  - (3) Minimum gross living area: Not applicable.
  - (4) Minimum lot width: One hundred (100) feet.
  - (5) Minimum lot depth: One hundred (100) feet.
  - (6) Front yard setback: Twenty-five (25) feet.
  - (7) Rear yard setback: Twenty-five (25) feet.
  - (8) Side yard setback: Ten (10) feet, or twenty-five (25) feet if adjacent to any residential district.
  - (9) Required parking: Compliance with article 14.12 of this chapter and the UBC or as determined through the new development site plan review process.
  - (10) Required screening: Compliance with article 14.09 of this chapter or as determined through the new development site plan review process.
  - (11) Maximum lot coverage by structure: Sixty (60) percent.

- (12) Minimum masonry coverage: Fifty percent (50%).
- (13) Accessory building or use setback: Ten (10) feet minimums.

(c) Special regulations.

- (1) Temporary and/or seasonal outside storage and sale of retail merchandise that is customary and incidental to the related business is permitted.

(Ordinance 414-97, ex. E, sec. 12.510, adopted 12/16/1997; Ordinance 650-12 adopted 6/12/2012; Ordinance 665-13 adopted 5/14/2013; Ordinance 712-15 adopted 4/14/2015; Ordinance 811-20, sec. 2(E), (G), adopted 11/10/2020; Ordinance 833-21 adopted 7/13/2021; Ordinance 834-21, sec. 2(2), adopted 7/13/2021; Ordinance 853-22, sec. 2(1), adopted 2/8/2022)

**§ 14.06.015. Class IV - Industrial: "LI" Light Industrial District.**

- (a) Use regulations. The "LI" Light Industrial District will be limited to the following uses, residential uses are not permitted in this district:

- (1) All uses permitted in section 14.06.014 (Commercial District).
- (2) Single-family dwelling when a part of a business approved for this district.
- (3) Amusement or baseball parks.
- (4) Automobile, truck and heavy equipment laundry and steam cleaning.
- (5) Automated vending machines for recycling cans, bottles, etc.
- (6) Blemishing, horseshoeing or wagon shop.
- (7) Body and fender work for automobiles and trailers.
- (8) Storage yards, sales only.
- (9) Dog and cat hospitals and outside kennels, when not less than one hundred (100) feet from residential districts (sections 14.06.005 through 14.06.010).
- (10) Firewood sales when displayed and conducted entirely outdoors.
- (11) Cabinet and furniture manufacturing and repair.
- (12) Machine shops, provided power does not exceed thirty (30) horsepower in the operation of any one machine.
- (13) Manufacture of products from aluminum, brass, bronze, copper, steel, tin or other metals and from bone, leather, paper, rubber, shell, wire, or wood.
- (14) Manufacture of pharmaceuticals, artificial flowers, ornaments, boats (small) twenty-eight (28) feet less in length, brooms or brushes, buttons and novelties, canvas products, clothing for wholesale trade, gas or electric fixtures, signs (including electric) provided power is not in excess of thirty (30) horsepower in the operation of any one machine.
- (15) Monument or marble working (finishing or carving only).
- (16) Pattern shops.

- (17) Printing, lithographing, bookbinding, newspapers and publishing.
- (18) Sheetmetal shops using sheetmetal of sixteen (16) gauge, or thinner.
- (19) Spray painting or paint mixing.
- (20) Storage in bulk of, or warehouses for, commodities and materials enumerated in other districts.
- (21) Welding shop and custom work, not including structural welding.
- (22) Electric power substation.
- (23) Manufacture of "high-tech" devices.
- (24) Special exception uses after recommendation by the planning and zoning commission and approval by the city council.
- (25) Installations owned and operated by the City of Willow Park, Parker County, the State of Texas or public utility companies, which installations are necessary for the public safety, governmental services or the furnishing of utility services including, without limitation, communications towers and water towers, are permitted in all zoning districts.
- (26) Commercial amusement - indoor (special use permit required).
- (27) Commercial amusement-outdoor (special use permit required).

**Editor's note**—Ord. 834-21 amended sec. 14.06.015 by adding subsections (a)(25) and (26). Subsection (a) already contained a subsection (a)(25). The added provisions have been included as subsections (a)(26) and (27).

- (b) Zoning standards. Are set accordingly unless specified otherwise in this chapter (the more stringent applying).
- (1) Maximum height: Not to exceed forty (40) feet.
  - (2) Minimum lot area: Not applicable.
  - (3) Maximum floor space area: Ten thousand (10,000) square feet not including offices for administrative purposes.
  - (4) Minimum lot width: One hundred (100) feet.
  - (5) Minimum lot depth: One hundred (100) feet.
  - (6) Front yard setback: Twenty-five (25) feet.
  - (7) Rear yard setback: Twenty-five (25) feet.
  - (8) Side yard setback: Ten (10) feet, or twenty-five (25) feet if adjacent to any residential district.
  - (9) Maximum lot coverage by structure: Fifty percent (50%).
  - (10) Required parking: Compliance with article 14.12 of this chapter and the UBC or as determined through the new development site plan review process.
  - (11) Required screening: Compliance with article 14.09 of this chapter or as determined through the

new development site plan review process.

(12) Minimum masonry coverage: Fifty percent (50%).

(13) Accessory building or use setback: Ten (10) feet minimums.

(c) [Deleted by Ord. 811-20.]

(1) [Deleted by Ord. 811-20.]

(Ordinance 414-97, ex. E, sec. 12.511, adopted 12/16/1997; Ordinance 811-20, sec. 2(E), (G), adopted 11/10/2020; Ordinance 834-21, sec. 2(3), adopted 7/13/2021; Ordinance 853-22, sec. 2(2), adopted 2/8/2022)

**§ 14.06.016. Class V - IH-20 Overlay District.**

(a) General purpose and description.

(1) The intent of these standards is to exercise greater control over the aesthetic, functional, and safety characteristics of development along Interstate Highway 20 (hereinafter referred to as "IH-20") where higher standards can effectively enhance the city's image as a desirable place to live, work, and shop.

(2) These standards are limited to either side of IH-20 to the distances specified herein and encompassing land that has already been zoned by the City of Willow Park. It supplements the standards of the underlying zoning districts with new or different standards that are more restrictive. In the event of a conflict between the standards of the IH-20 Overlay District and the regulations of the underlying zoning district, the more restrictive of the standards and regulations will prevail. Regulations of the underlying zoning district not augmented or otherwise supplemented by the IH-20 Corridor Overlay District will continue to prevail.

(b) District boundaries.

(1) The IH-20 Overlay District standards apply to the future development, improvement or redevelopment of those properties as indicated on exhibit A, attached hereto [at the end of this section]. The following rules specifically define the district boundaries:

Beginning at a point with an approximate NAD 83 coordinate of (2,222,383, 6,956,532) said point also being in the east right-of-way line of Mikus Road F.M. 5), and in the city limit boundary line for the City of Willow Park and being 300 feet from the north right-of-way line of Interstate 20 and being designated as Point #1 on the attached exhibit A.

Thence continuing in a southeasterly direction parallel to the Interstate 20 access roads at a depth of 300 feet from the north right-of-way line of Interstate 20 to a point for a corner, said point having an approximate NAD 83 coordinate of (2,240,858, 6,950,425) said point also being in the ETJ boundary line for the City of Willow Park and being designated as Point #2 on the attached exhibit A.

Thence continuing in a southerly direction crossing Interstate 20 access roads to a depth of 300 feet from the south right-of-way line of Interstate 20 to a point for a corner, said point having an approximate NAD 83 coordinate of (2,240,858, 6,949,401) said point also being in the ETJ boundary line for the City of Willow Park and being designated as Point #3 on the attached exhibit A.

Thence continuing in a northwesterly direction parallel to the Interstate 20 access roads at a

depth of 300 feet from the south right-of-way line of Interstate 20 to a point for a corner, said point having an approximate NAD 83 coordinate of (2,238,216, 6,949,851) said point also being in the city limit boundary line for the City of Willow Park and being designated as Point #4 on the attached exhibit A.

Thence continuing in a southerly direction to a point for a corner, said point having an approximate NAD 83 coordinate of (2,238,212, 6,949,167) said point also being in the city limit boundary line for the City of Willow Park and being designated as Point #5 on the attached exhibit A.

Thence continuing in a northwesterly direction parallel to the Interstate 20 access roads to a point for a corner, said point having an approximate NAD 83 coordinate of (2,237,444, 6,949,378) said point also being in the city limit boundary line for the City of Willow Park and being designated as Point #6 on the attached exhibit A.

Thence continuing in a westerly direction to a point for a corner, said point having an approximate NAD 83 coordinate of (2,236,625, 6,949,240) and being in the west right-of-way line of Sunrise Drive, said point also being in the city limit boundary line for the City of Willow Park and being designated as Point #7 on the attached exhibit A.

Thence continuing in a westerly direction to a point for a corner, said point having an approximate NAD 83 coordinate of (2,235,596, 6,949,240), said point also being in the city limit boundary line for the City of Willow Park and being designated as Point #8 on the attached exhibit A.

Thence continuing in a southwesterly direction to a point for a corner, said point having an approximate NAD 83 coordinate of (2,235,300, 6,948,869) and being in the north right-of-way line of East Bankhead Highway, said point also being in the city limit boundary line for the City of Willow Park and being designated as Point #9 on the attached exhibit A.

Thence continuing along the north right-of-way line of East Bankhead Highway in a westerly direction to a point for a corner, said point having an approximate NAD 83 coordinate of (2,234,000, 6,949,671) and being in the north right-of-way line of East Bankhead Highway, said point also being in the city limit boundary line for the City of Willow Park and being a right-of-way line of Old Bankhead Road and being designated as Point #10 on the attached exhibit A.

Thence continuing in a northeasterly direction parallel to Old Bankhead Road at a depth of 300 feet from the west right-of-way line of said Old Bankhead Road to a point for a corner, said point having an approximate NAD 83 coordinate of (2,234,673, 6,950,936) said point also being approximately 300 feet from the south right-of-way line of Interstate 20 and being designated as Point #11 on the attached exhibit A.

Thence continuing in a northwesterly direction parallel to the Interstate 20 access roads at a depth of 300 feet from the south right-of-way line of Interstate 20 to a point for a corner in the west right-of-way line of Russell Road, said point having an approximate NAD 83 coordinate of (2,220,612, 6,956,236) said point also being in the city limit boundary line for the City of Willow Park and being designated as Point #12 on the attached exhibit A.

Thence continuing northeasterly along the west right-of-way line of Russell Road to a point for a corner, said point having an approximate NAD 83 coordinate of (2,220,741, 6,956,491) and being in the north right-of-way line of East Bankhead Highway, said point also being in the city limit boundary line for the City of Willow Park and being approximately 300 feet from the

west right-of-way line of Old Bankhead Road and being designated as Point #13 on the attached exhibit A.

Thence continuing in a southeasterly direction along the north right-of-way line of Interstate 20 to a point for a corner, said point having an approximate NAD 83 coordinate of (2,222,347, 6,955,599) said point also being in the city limit boundary line for the City of Willow Park and being designated as Point #14 on the attached exhibit A.

Thence in a northwesterly direction crossing Interstate 20 to the point of beginning.

(c) Application.

(1) The IH-20 Overlay District standards apply to the following:

- (A) Development of any land for which there is not improvement at the time of construction;
- (B) An increase in any existing structure that is equal to or greater than thirty (30) percent of the existing square footage; or
- (C) Any new construction on a lot that provides for an increase that is equal to or greater than thirty (30) percent of the lot or tract that is covered by permanent structure(s).

(d) Permitted uses.

(1) Those uses listed for the underlying zoning districts are authorized uses as permitted by the City of Willow Park zoning ordinance, as amended, except for the uses as follows, which shall be expressly prohibited within the IH-20 Overlay District:

- (A) AG zoning district: Storage yards; junkyards; or motor vehicle junkyards.
- (B) FP zoning district: Mining of soil, sand, gravel and minerals; irrigation lakes and pumps; industrial compressor water intake and waterworks; sumps; boat rental; or temporary buildings and structures accessory to allowed uses within the FP district.
- (C) R-4 zoning district: Manufactured housing parks, inclusive of mobile homes, prefabricated homes, etc.
- (D) C zoning district: Turkish baths (see C Commercial zoning allowances); light industrial type businesses; self-serve laundry facilities; commercial parking areas; pawnshops.
- (E) LI zoning district: Multiple-axle truck and heavy equipment laundry and steam cleaning; automated vending machines for recycling cans, bottles, etc.; stand-alone paint and body shops not associated with automobile and trailer sales dealers; storage yards and facilities; dog and cat hospitals with outside kennels; firewood sales when displayed and conducted entirely outdoors; machine shops; sheetmetal shops; welding shop.
- (F) In addition to those uses prohibited in (A) through (E) above, the following uses shall be prohibited within any zoning district: auction house/lot; manufactured home sales; model home sales and display not located or part of a residential subdivision in which the model home is to apply; farm implement sales; vehicle/boat/RV storage; boarding house; laundry/dry cleaning plant; metal repairs-welding; armature rewinding; utility treatment/generative facilities; cold storage locker; meat locker/freezer; grain elevator/feed/fertilizer; landfill/refuse dump; mineral extraction/barrow pit; kennels; mobile homes; outdoor theater; racetrack; raising/breeding non-farm animals/fowl; riding stables; boarding

stables; above-ground bulk storage tanks; sewer treatment plant; forestry preserve; fishing, hunting, trapping; metal mining; anthracite mining; bituminous coals and liquate mining; oil and gas extraction; mining/quarrying nonmetallic minerals; general contractor's yard; rail switching, terminal services (engineer yards); heavy equipment sales; group home; special trade contractor's yard; boarding house; enclosed confined feeding, confined feedlot; roadside produce stand; or sexually oriented businesses as defined by city ordinance.

(e) Lot and setback standards.

- (1) Maximum height. The maximum height for structures subject to these standards shall be fifty (50) feet unless a specific use permit is granted by the governing body.
  - (A) Primary structures: Fifty (50) feet unless a specific use permit is granted by the governing body.
  - (B) Secondary or accessory structures: 25 feet unless a specific use permit is granted by the governing body.
- (2) Open storage areas. All open storage areas, where permitted by the underlying zoning district, shall be set back a minimum of fifty (50) feet from the right-of-way for any Freeway, Type AA Thoroughfare, Type A Thoroughfare, Type B Thoroughfare or Type C Thoroughfare as designated on the City of Willow Park thoroughfare plan, as amended.
- (3) Visibility triangles. No building, parking area, or other visual obstruction shall be located in any required visibility triangle.
- (4) Cross access required. Each lot must provide a "cross access and fire lane" easement that provides for access to immediately adjacent tracts. Said easement shall meet the following minimum criteria:
  - (A) Newly dedicated easements shall align appropriately with previously dedicated or existing "cross access and fire lane" easements. Where no existing easement controls, the newly dedicated easement may be located appropriately to the plans for development of the site.
  - (B) "Cross access and fire lane" easements shall contain a minimum width of twenty-four (24) feet or other such minimum width as required by the city.
  - (C) "Cross access and fire lane" easements shall contain minimum inside turning radii of twenty-five (25) feet.

(f) Minimum design criteria.

- (1) Orientation and scale of primary structure(s).
  - (A) Buildings shall have their primary orientation toward a front yard. Said primary orientation shall include a main or primary entrance that shall be designed to be attractive and functional, unless otherwise approved by the city council after recommendation by the planning and zoning commission.
  - (B) Primary entrances:
    - (i) Primary entrances shall have a clearly defined, highly visible customer entrance with distinguishing features such as a canopy, portico or other prominent element of the

architectural design.

- (ii) Buildings shall incorporate lighting and changes in mass, surface or finish to give emphasis to primary entrances.
- (iii) Loading docks or loading areas are not permitted to be visible from the street and may not be accessed directly from the street.

(2) Building materials for structures.

- (A) These standards do not apply to those uses where the building or structure is fully screened from IH-20 or any other roadway(s) designated on the Willow Park thoroughfare plan, as amended, by another building or structure.
- (B) Exterior construction shall consist of one hundred (100) percent exterior cladding to include brick, split face concrete block, glass, stone, cast stone, glass block, tile, cast metal or a combination of those materials for each side of the structure that is visible from a public street or an adjacent residentially zoned property. A minimum of fifty (50) percent of the exterior cladding shall consist of stone masonry. Said exterior cladding shall be exclusive of doors, windows, glass, and entryway treatments and atriums of glass and metal construction.
  - (i) For all structures less than 10,000 square feet, a minimum of forty (40) percent of the wall area facing a public street shall contain windows or doorways.
  - (ii) Color:
    - a. Masonry materials shall be shades of white, warm gray, beige and/or brown.
    - b. Modern, multi-color brick blends are prohibited.

(3) Glass.

- (A) Use of nonreflective glass for displays and to allow visual access to interior space is permitted.
- (B) Reflective glass shall be prohibited.

(4) First/ground floor windows.

- (A) Windows on walls visible from a public street or an adjacent residentially zoned property shall be provided with trim.
- (B) Windows shall not be flush with the exterior wall treatment.
- (C) Windows shall be provided with architectural surround at the jamb.
- (D) Windows shall be constructed with windowsills extending a minimum of two (2) inches from the exterior facade of the structure.

(5) Upper floor windows.

- (A) Windows shall be provided with trim.
- (B) Windows shall not be flush with the exterior wall treatment.

- (C) Windows shall be provided with architectural surround at the jamb.
  - (D) Windows shall be constructed with windowsills extending a minimum of two (2) inches from the exterior facade of the structure.
  - (E) Windows shall be placed symmetrically on the facade.
  - (F) Windows shall be of a divided light design with a minimum of two (2) panes over two (2) panes.
  - (G) Windows shall be rectangular with the proportion of the height being no smaller than two and one-half (2-1/2) times the width and no larger than four (4) times the width.
- (6) Building articulation for structures.
- (A) Exterior walls visible from a public street or a residentially zoned property shall have offsets, jogs or other distinctive changes in the building facade.
  - (B) Buildings shall incorporate arcades, roofs, alcoves, porticoes, and awnings as design elements for exterior walls that are visible from a public street or a residentially zoned property.
- (7) Architectural design.
- (A) All facades of an individual building, multiple buildings in a shopping center, or integrated business development, and all roofing in a shopping center or integrated business development shall have similar architectural design.
  - (B) Review of the architectural design of a proposed development shall include, but not be limited to:
    - (i) Consistency of scale and proportion with any immediately adjacent buildings or structures;
    - (ii) Design in relation to surrounding buildings;
    - (iii) Design in relation to topography of the site;
    - (iv) Design in relation to proposed landscaping; and
    - (v) Aesthetics of the proposed building, including color.
  - (C) The design of a development shall meet the following standards:
    - (i) Relationship of the structure(s) to the site:
      - a. The site shall be designed to achieve a desirable transition with the streetscape and to provide for adequate planting, safe pedestrian movement, and parking areas.
      - b. Site planning in which setbacks and yards are in excess of zoning restrictions is encouraged to provide an interesting relationship between buildings.
      - c. Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.

## (ii) Relationship of buildings and site to adjoining area:

- a. Adjacent buildings of different architectural styles shall be made compatible by such means as screens, sight breaks, and materials.
- b. Attractive landscape transition to adjoining properties shall be provided.
- c. Harmony in texture, lines, and masses is required.
- d. Monotony shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting of individual buildings shall be used to prevent monotonous appearance.

## (iii) Building design:

- a. Architectural style is not restricted. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surrounding buildings.
- b. Buildings shall be harmonious and consistent with permanent, neighboring development.
- c. Design features: A minimum of one (1) of the following design features per story must be incorporated into the building elevation located immediately adjacent to a public street or roadway right-of-way:
  1. Decorative masonry course integrated into the top edge of the masonry facade of a parapet wall;
  2. Secondary cornice separating the ground floor from the second floor;
  3. Quoins located at the building corners;
  4. Transoms located above upper story windows;
  5. Canopies meeting the following standards:
    - (a) Canopies shall be constructed of a permanent metal material; and
    - (b) Canopies shall extend along seventy-five (75) percent of the total building frontage for each portion of a wall facing a public street or roadway right-of-way.

(8) Roofs.

- (A) Flat roofs shall be screened on all sides by parapet or mansard walls.
- (B) Pitched or gabled roofs shall contain a minimum 4:12 pitch (four (4) feet of rise for every twelve (12) feet of run).
- (C) Installed roofing shingles must consist of dimensional shingles with a minimum manufacturer's rating of twenty (20) years. Roofing systems or materials exceeding the standards established herein may be used pursuant to approval by the building official or his designee.

(9) Refuse, mechanical equipment, and loading area screening.

- (A) Refuse containers or disposal areas shall not be located between the building and the street and shall be screened on three sides by construction of a masonry wall of sufficient height to fully screen said containers or disposal areas. Masonry walls shall be constructed of like and similar materials to those of the primary structure and shall be enclosed on the fourth side by an opaque gate.
  - (B) Mechanical equipment is not permitted to be visible from the street and shall not be permitted between the building and the street. Mechanical equipment shall be fully screened in an opaque manner with a masonry wall (parapet or masonry walls are acceptable for mechanical equipment located on a roof) constructed of like and similar materials to those of the primary structure or by a vegetative screening wall as approved by the city and shown on the approved site plan.
  - (C) Loading areas shall not be visible from a street and, when adjacent to residential uses, loading docks shall be fully screened by a full masonry wall constructed of like and similar materials to those of the primary structure, other buildings, or a vegetative screen as approved by the city and shown on the approved site plan.
- (10) Lighting. Lighting may be used to accent architectural details, emphasize primary entrances, accent signs, illuminate sidewalks, and illuminate parking areas and service entrances for public safety concerns. Lighting shall meet the following criteria:
- (A) Light fixtures and light standards visible from a public street or public right-of-way shall be of an architectural design that is compatible with the architectural design of the primary structure.
  - (B) Installed light sources may not use the equivalent of more than 1,200 lumens per bulb and shall be installed in such a manner so as to be shielded from public view and mitigate glare and light spill.
  - (C) There shall be no direct illumination of any residential use or residential zoning district.
  - (D) Lights shall be fully shielded to minimize light trespass onto any residential zoning district. "Fully shielded" shall mean a technique or method of construction or manufacture that does not allow any light dispersion to shine above the horizontal plane from the lowest light-emitting point of the light fixture. Any structural part of the light fixture providing this shielding shall be permanently affixed to the light fixture.
- (g) Minimum landscaping criteria.
- (1) At least five (5) percent of the lot, apart from the building footprint, shall be landscaped open areas with permeable surface coefficient of runoff equal to or less than 0.35, equally distributed in an aesthetically pleasing manner.
  - (2) Trees are required along any Freeway, Type AA Thoroughfare, Type A Thoroughfare, Type B Thoroughfare or Type C Thoroughfare as designated on the City of Willow Park thoroughfare plan, as amended, as follows:
    - (A) Large shade trees with a minimum three (3) inch trunk diameter as measured twelve (12) inches above the ground shall be installed with the total caliper inches equal to one (1) inch per ten (10) feet of frontage.
    - (B) Ornamental trees with a minimum two (2) inch trunk diameter as measured twelve (12)

inches above the ground shall be provided with the total caliper inches equal to one (1) inch per each fifteen (15) feet of frontage.

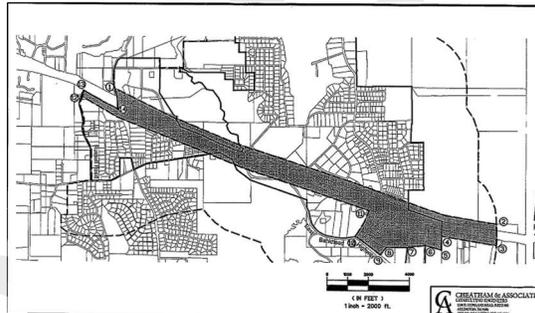
- (C) At least sixty (60) percent of the required street trees shall be evergreen with year-round foliage.
  - (D) At time of planting, a minimum of eight (8) feet shall be provided between a tree trunk and back of curb and between a tree trunk and any planned or existing underground public utility lines.
  - (E) At time of planting, trees shall not be placed nearer than six (6) feet on center.
- (3) Required interior site landscaping.
- (A) Space for vehicle overhangs shall be provided in order to avoid damaging planted trees and shrubs.
  - (B) Planter islands shall have a minimum width of eight (8) feet as measured from back-of-curb to back-of-curb or nine (9) feet as measured from edge-of-pavement to edge-of-pavement if no curb is provided. A minimum of fifty percent (50%) of the planter islands within the parking lot must contain at least one large shade tree with a minimum three (3) inch trunk diameter as measured twelve (12) inches above the ground.
  - (C) On structures without canopies, a minimum of fifty (50) percent of the required minimum landscaping shall be symmetrically distributed around the structure. Said landscaping shall be installed within an planting bed extending a minimum of five (5) feet from the exterior wall and plant materials shall contain a minimum of the following plant materials:
    - (i) One ornamental tree shall be installed for every fifty (50) linear feet of landscaped area or planting bed or fraction thereof with a minimum two (2) inch trunk diameter as measured twelve (12) inches above the ground.
    - (ii) One (1) shrub shall be installed for each five (5) linear feet of landscaped area of planting bed or fraction thereof. Said shrubs shall be a minimum of five (5) gallons at the time of planting.
- (4) Screening of parking and traffic circulation areas required.
- (A) A landscaped screen with a maximum height of three (3) feet shall be provided to separate a surface parking area or driveway from the right-of-way. Landscaped screens shall consist of a combination of earthen berms and shrubbery hedges. Retaining walls may be used to facilitate berming if they are not visible from the street. Earthen berms and shrubbery hedges shall be designed with a curvilinear alignment.
  - (B) The landscaped screen specified in subsection (g)(4)(A) above shall be located within a landscaped edge measuring a minimum of thirty (30) feet in width adjacent to the IH-20 right-of-way and a minimum of twenty (20) feet in width adjacent to any public street right-of-way other than that for IH-20.
  - (C) Sidewalks, as required by the City of Willow Park subdivision ordinance, as may be amended from time to time, shall be designed with a curvilinear alignment that is in keeping and compatible with the landscaped edge required herein.
- (5) A mechanical irrigation system is required to serve all landscaped areas.

(6) Landscaping plan.

- (A) A landscape plan shall be submitted to the city in conjunction with the required site plan. Said landscape plan shall be prepared by a registered landscape architect licensed by the State of Texas, professional landscape installer, or any other such person equally knowledgeable or qualified.
- (B) The following information must be included on the landscape plan:
- (i) The entire site to be landscaped, including the boundaries of the site with dimensions.
  - (ii) The type, size, owner, and recording information for all easements located within and immediately adjacent to the site.
  - (iii) The type and size of all utilities located within and immediately adjacent to the site (all appurtenances must also be shown - i.e. valves, cleanouts, hydrants).
  - (iv) The size in square footage and the percentage of the lot covered by the following:
    - a. All paving and buildings; and
    - b. All landscaped areas.
  - (v) A schedule of the planting materials to be used - said schedule shall include the species (common and scientific names) to be used, the quantities of each plant materials, and the grade or quality of each plant material.
  - (vi) A calculation as to the runoff coefficient for the site.
  - (vii) All planting areas must be shown.
  - (viii) The location and type of each plant material proposed for the site.
  - (ix) The name, address, and seal (if applicable) of the person(s) responsible for preparing the landscape plan.
  - (x) The date of original preparation and the date of the latest revisions.
  - (xi) The written and graphic scale of the drawing - a minimum scale of 1" = 100' shall be utilized (a smaller scale may be used if authorized by the city manager).
  - (xii) A location map showing the general location of the site at a scale of 1" = 2,000'.
  - (xiii) An irrigation detail shall be prepared by a professional designer licensed by the State of Texas on a separate sheet showing the following:
    - a. A schedule of the irrigation heads proposed. Said schedule must show the type, brand, and size of each head.
    - b. The location and size of each line.
    - c. The proposed connection to the water system, including the proposed meter location and size.
    - d. The proposed location, size, and method of backflow prevention.

- e. The name, seal, and signature of the person preparing the plan.
  - f. A calculation of the volume and pressure for each line.
- (7) Maintenance and installation.
- (A) It shall be the responsibility of the owners and their agencies to ensure proper maintenance of the landscaping, in accordance with the standards established by this chapter, and as indicated on the landscape plan, which has been approved by the city. This is to include, but is not limited to, replacing dead plantings with identical varieties or a suitable substitute, and keeping the area free of refuse and debris.
  - (B) All landscaping required by the approved landscaping plan shall be installed prior to the issuance of a certificate of occupancy permit if said permit is issued during a planting season, or within six (6) months of the date an occupancy permit is issued if issued during a non-planting season.

**EXHIBIT A**



(Ordinance 507-04 adopted 1/26/2004; Ordinance 542-05 adopted 9/20/2005; Ordinance 575-08 adopted 6/16/2008; Ordinance 639-11 adopted 9/19/2011)

**ARTICLE 14.07**  
**SIGN REGULATIONS**

**§ 14.07.001. Definitions.**

Building official shall mean the officer or other person with the City of Willow Park charged with the administration and enforcement of the sign regulations.

Freestanding sign means a sign supported solely by posts or structures other than a building.

Off-premise sign means a sign displaying advertising copy that pertains to a business, person, organization, activity, event, place, service or product not principally located or primarily manufactured or sold on the premises on which the sign is located.

On-premise sign means a sign identifying or advertising a business, person or activity and installed on the same premises as such business, person or activity.

Portable sign means a sign designed to be mounted on a trailer, bench, wheeled carrier or other nonmotorized mobile structure. A portable sign may be an off-premise or on-premise sign.

Sign means an outdoor structure, display, light device, figure, painting, drawing, message, plaque, poster, billboard, flag or other thing that is designed, intended or used to advertise, inform or attract attention.

Wall sign means signs attached against building fronts or exposed walls, or parallel to the face of the building and atop a marquee and not extending above or beyond such building.

Weekend directional sign. A sign which is not installed in a permanent fashion and is used to identify, direct, sell, promote or otherwise advertise homes and real estate for sale, lease or rent. Such signs include but are not limited to real estate signs installed by use of a stake, tripod or other temporary means. (Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-700; Ordinance 470-01 adopted 9/18/2001)

**§ 14.07.002. Signs requiring permits.**

- (a) Permits. No person shall erect, construct, relocate, alter or repair a sign without first having obtained a permit, except as otherwise provided in this section. This section does not apply to government signs.
- (b) No sign shall be, erected, created or constructed after the effective date of this article without a permit issued by the city secretary or his designate, except as provided herein.
- (c) Every applicant before being granted a permit shall pay a one-time permit fee in the amount established by city council and on file in the offices of the city. All off-premise sign permits shall be renewed annually at the same fees.
- (d) Weekend directional sign.
  - (1) Permit requirement. No person shall erect, place or position or cause to be erected, placed or positioned in or on any public property or right-of-way within the city, a weekend directional sign without first having obtained an annual permit from the building official or his designee.
  - (2) Permit duration. Any permit authorized under this subsection shall be valid for a period of one year from the granting thereof. The permit shall not be granted until an annual fee in the amount set by the city council has been collected from the applicant. The permit authority is subject to all other applicable federal, state or local statutes, rules or regulations.

(e) Portable signs.

- (1) Existing businesses with portable signs in use at the date of enactment of this article are not required to [obtain a] permit or to pay a permit fee for six (6) months.
- (2) Subsequent new businesses may use a portable sign for a period of six (6) months from the date of certificate of occupancy or until a permanent sign is installed, whichever comes first. The permit fee shall be in the amount established by city council subject to a 30-day extension with the city administration approval and a new permit fee.
- (3) A temporary permit valid for fifteen (15) days may be obtained for portable signs. The permit fee shall be in the amount established by city council and on file in the offices of the city. Permits shall be issued for no longer than thirty (30) days in a six (6) month period for any business or location.

## (f) No permit shall be required for the following signs:

- (1) Signs advertising the sale or lease of real property on which they are located.
- (2) An on-premise sign in existence before the effective date of this article.
- (3) A sign that has as its purpose the protection of life and property.
- (4) A sign or marker giving information about the location of underground electric transmission lines, telegraph or telephone properties and facilities, pipelines, public sewers or water lines or other public utilities.
- (5) A sign erected by an agency of the state or a political subdivision of the state.
- (6) A sign erected solely for and relating to a public election, but only if:
  - (A) The sign is on private property;
  - (B) The sign is erected no sooner than the 30th day before the election and is removed no later than the 7th day after the election;
  - (C) The area of the sign does not exceed thirty-two (32) square feet per sign face;
  - (D) The sign does not exceed ten (10) feet in height;
  - (E) The sign is self-supporting.
- (7) On-site directional signs not exceeding two (2) square feet, provided such directional signs do not contain advertising and are not used as such.
- (8) One unlighted or indirectly lighted sign with names and/or street numbers so long as the area of such sign does not exceed one (1) square foot for each dwelling unit.
- (9) Bulletin boards not over sixteen (16) square feet in area for public, charitable or religious institutions when the same are located on the premises of such institutions.
- (10) One (1) temporary construction sign denoting the architect, engineer, financial institution or contractor when placed upon the site under construction and not exceeding sixteen (16) square feet in area.
- (11) Memorial signs or tablets, names of buildings and date of erection, when cut into any masonry

surface or when constructed of bronze or other noncombustible materials.

(12) Flags, emblems and insignia of any governmental body, and decorative displays for holidays or public demonstrations which do not contain advertising and are not used as such and which do not exceed thirty-five (35) feet in height and one hundred (100) square feet in area.

(13) Temporary signs advertising occasional noncommercial sales (including garage sales, patio and porch sales) shall be limited to three (3) signs not to exceed two (2) square feet each. Signs shall be removed within two (2) days following such sale.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-701; Ordinance 470-01 adopted 9/18/2001; Ordinance adopting 2017 Code)

### **§ 14.07.003. Application for permit.**

Application for permits shall contain or have attached thereto the following information:

- (1) Name, address and telephone number of the person or company which will own the sign.
- (2) Location of building, structure or lot to which or upon which the sign or other advertising structure is to be attached or erected.
- (3) Two (2) sets of reproducible plans shall be submitted showing the sign location in relation to nearby buildings or structures, signs, property lines, driveways, public streets, fences and sidewalks.
- (4) Two (2) sets of reproducible plans and specifications showing method of construction and attachment to the building or ground. Size, type, height, construction materials and such other information as the building official may require.
- (5) Name, address and telephone number of person, firm, corporation or association erecting the sign.
- (6) If an off-premises sign, the written consent of the owner of the building, structure or land to which or on which the sign is to be erected.
- (7) Zoning classification of the property.
- (8) Such other information as the building official shall require to show compliance with this and all other ordinances of the city.
- (9) Weekend directional sign.
  - (A) The application for a permit shall include a drawing of the proposed sign(s).
  - (B) Applicant should provide the name, address, and telephone number of the property owner of the affected property.
  - (C) The application shall contain the name, address and telephone number of the person that the applicant acknowledges is responsible for placement, retrieval and maintenance of the sign identified in the permit.
  - (D) The application shall contain an acknowledgement by the applicant that they received, read and understand the provisions relating the weekend directional sign including that such signs are subject to seizure and confiscation and imposition of a seizure fee in the amount established by city council and on file in the offices of the city for each sign seized for violations of terms of the permits or conditions of sign display.

(E) An approximate maximum number of weekend directional signs that will be displayed up to the permitted limit of 20.

(F) Any other information the building official may require for compliance with this article or enforcement thereof.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-702; Ordinance 470-01 adopted 9/18/2001; Ordinance adopting 2017 Code)

#### **§ 14.07.004. Measurements.**

The area of any sign shall be deemed to be the sum of the area of each sign face, including cutouts unless so designated in other sections herein.

(Ordinance 234-87 adopted 4/14/1987; Ordinance 244-88 adopted 10/11/1988; 1993 Code, ch. 12, ex. B, sec. 12-703; Ordinance 470-01 adopted 9/18/2001)

#### **§ 14.07.005. Spacing of off-premise signs.**

No off-premise sign shall be located within one thousand (1,000) feet of another off-premise sign on the same side of the street or highway.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-704; Ordinance 470-01 adopted 9/18/2001)

#### **§ 14.07.006. Height restrictions.**

(a) No freestanding sign shall exceed thirty (30) feet above ground level and shall not be lower than ten (10) feet above ground level.

(b) Wall signs shall not exceed four (4) feet above roof line.

(c) Any sign over a walkway must have a minimum of eight (8) feet clearance over the walkway.

(d) A freestanding on-premises sign may extend to a height of thirty-five (35) feet above ground level or above grade directly opposite of the sign of a limited access freeway, whichever is higher if and only if the premises property is zoned "C" or is contiguous to a limited access freeway or separated therefrom only by a service road.

(Ordinance 234-87 adopted 4/14/1987; Ordinance 246-89 adopted 1/10/1989; 1993 Code, ch. 12, ex. B, sec. 12-705; Ordinance 470-01 adopted 9/18/2001)

#### **§ 14.07.007. Area restrictions.**

(a) The maximum area of on-premise wall signs associated with property zoned "C" or contiguous to a limited access freeway or separated therefrom only by a service road shall be no greater than two hundred sixty (260) square feet per sign face.

(b) The maximum area for a freestanding on-premise sign associated with property zoned "C" commercial shall be no greater than forty (40) square feet per sign face with the limit of one (1) freestanding sign per business.

(c) An additional freestanding, nationally franchised logo type sign, will be permitted with the limit of one (1) per business subject to the area restrictions on freestanding signs.

(d) When a shopping strip directory sign is selected, each individual business in the shopping strip shall forfeit their right to individual freestanding signs and the maximum area for the directory sign shall

be the sum of forty (40) square feet for each business located in the shopping strip.

- (e) The maximum of any off-premise sign shall be ninety-six (96) square feet per sign face.
- (f) The maximum area of any portable sign shall be forty (40) square feet per sign face (80 square feet maximum).

(Ordinance 234-87 adopted 4/14/1987; Ordinance 246-89 adopted 1/10/1989; Ordinance 323-92 adopted 5/19/1992; 1993 Code, ch. 12, ex. B, sec. 12-706; Ordinance 470-01 adopted 9/18/2001)

**§ 14.07.008. Frontage on more than one street.**

- (a) If a use has street frontage on a corner, street frontage for the purpose of calculation of sign area shall be either:
  - (1) In the case of a sign erected on a building, the frontage of the building on the street which the sign faces.
  - (2) In the case of a freestanding sign more than three hundred (300) feet from an intersection of any public street, the frontage of the street closest to the sign, or if equidistant from two (2) or more streets, the longest such frontage.
  - (3) In the case of a freestanding sign less than three hundred (300) feet from an intersection, the frontage to be used in calculation shall be the street upon which the largest business building on such property faces.

- (b) If a use has street frontage on more than one street but not on a corner, such business shall be entitled to signs by formula on each street.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-707; Ordinance 470-01 adopted 9/18/2001)

**§ 14.07.009. Location of signs by type.**

Off-premise signs shall be allowed in the following zoning districts, but only within one hundred (100) feet of major thoroughfares, designated on the Willow Park thoroughfare plan. Such districts where off-premise signs are allowed are commercial and industrial. No off-premise sign may be located closer than two hundred fifty (250) feet from any residence or residentially zoned area.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-708; Ordinance 470-01 adopted 9/18/2001)

**§ 14.07.010. Wind loads.**

All signs shall be designed, constructed and anchored to withstand a wind pressure of not less than thirty (30) pounds per square foot per sign face.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-709)

**§ 14.07.011. Obstruction to doors, windows or fire escapes.**

No sign shall be erected, relocated, or maintained so as to prevent free ingress or egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-710)

**§ 14.07.012. Signs not to constitute traffic hazard.**

No sign shall be erected or maintained in such a manner as to obstruct free and clear vision; or at any location where by reason of position, shape, color, degree, manner or intensity of illumination it may interfere with vehicular or pedestrian traffic. Pursuant to the foregoing, no sign shall be erected or maintained in such manner as to be likely to interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. No sign shall make use of words, phrases, symbols or characters or employ any lamp of light in such a manner as to interfere with, mislead or confuse traffic.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-711)

**§ 14.07.013. Prohibited signs, advertising, lighting.**

- (a) No person shall attach any sign, paper, other material, or paint, stencil or write any name, number (except house numbers), or otherwise mark on any sidewalk, curb, gutter, street, utility pole, trees, public building, fence or structure unless authorized by this article.
- (b) No sign shall be illuminated to an intensity greater than two hundred (200) footlamberts. The restrictions of luminance shall be determined from any other premises or from any public right-of-way other than an alley. Lights shall be shielded to prevent the source of lighting from being directly visible from residential property.
- (c) No portion of any sign shall be erected upon or over public property.
- (d) Signs and advertising devices which move, flash, rotate, blink, change color, or are animated are prohibited; provided, however, this section shall not be deemed to prohibit devices showing time, temperature and informative messages.
- (e) Signs and advertising devices which produce noises discernible from more than fifty (50) yards away are prohibited.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-712)

**§ 14.07.014. Compliance with other codes.**

All signs shall comply with all other city codes, including the electrical and building codes.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-713)

**§ 14.07.015. Maintenance.**

All signs, together with all supports, braces, guys and anchors shall be kept in good repair by the owner of the sign or the person in charge of the premises. Failure to keep a sign in good repair shall be deemed cause for removal if the owner of the sign or person in charge thereof fails to make such repairs within thirty (30) days of notice from the building official of deficiencies.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-714)

**§ 14.07.016. Unsafe signs.**

If the building official shall find that any sign is unsafe and is a menace to the public, he shall give notice to the permittee thereof in the same manner as is provided in the building code for notice of unsafe buildings. If the permittee fails to remove or repair the structure within the time provided in such notice, such sign may be removed by the building official at the expense of the permittee. The building official shall refuse to reissue a permit to any permittee or owner who refuses to pay costs so assessed. The building official may cause any sign which is an immediate peril to persons or property to be removed summarily and without

notice.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-715)

**§ 14.07.017. Replacement or repair of sign.**

- (a) When any sign, or a substantial part of it, is blown down or otherwise destroyed or taken down or removed for any purpose other than maintenance operations or for changing the letters, symbols or other matter on the sign, it may not be re-erected, reconstructed or rebuilt except in full conformance with the provisions and requirements of this article.
- (b) For purposes of subsection (a) of this section, a sign or substantial part of it is considered to have been destroyed only if the cost of repairing the sign is more than fifty (50) percent of the cost of erecting a new sign of the same type at the same location.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-716)

**§ 14.07.018. Existing sign registration.**

Not later than the 120th day after the effective date of this article, each owner of an off-premise sign erected before the effective date of this article that is visible from the main-traveled way of a street or road shall either remove the sign or register the sign with the city building official. The owner must pay a fee in the amount established by city council and on file in the offices of the city, for such sign that is registered. This registration is valid for one (1) year, but is renewable for the same fee.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-717; Ordinance adopting 2017 Code)

**§ 14.07.019. Application to extraterritorial jurisdiction.**

This article shall apply to the city's extraterritorial jurisdiction.

(Ordinance 234-87 adopted 4/14/1987; 1993 Code, ch. 12, ex. B, sec. 12-718)

**§ 14.07.020. Ground or monument signs.**

These signs are designed to be used along or in supplement with a pole with a freestanding sign or a wall sign, where allowed, but subject to height and location restrictions in all districts where allowed. Said signs shall not exceed six (6) feet in height above ground except where otherwise allowed, and shall be located at least fifteen (15) feet behind the curb of any street, or the property line of said lot. Such sign shall not be wider at the top than at the lowest part of the sign, including supports. The lowest part of the sign shall not be higher than two (2) feet above ground. Said sign shall not be located within any visibility triangle and shall not obstruct the view of driveways or parking areas. Said signs shall be limited to identification of a building by name or owner, address, developer or tenants. Churches, colleges, public buildings and institutional educational uses shall be allowed to use such signs for the purposes stated above as well as for marquee purposes announcing names, dates, times and other information concerning the programs and services offered on-site. The maximum area for each side of such sign may not exceed eight (80) [sic] square feet.

(Ordinance 235-88 adopted 1/12/1988; 1993 Code, ch. 12, ex. B, sec. 12-719)

**§ 14.07.021. Weekend directional signs.**

- (a) Permit required. No sign regulated by this section may be placed on public property or recorded utility easement, including public rights-of-way, except those that have a validly issued permit by the city. Any sign placed on public property or public right-of-way not properly permitted shall be

removed without notice.

- (b) Nature of sign. Only weekend directional signs, as defined herein are permitted and authorized by this section.
- (c) Size. The sign shall not exceed six (6) square feet in effective area. The entire visible surface of the sign exclusive of support devices, shall be included in the area of calculations.
- (d) Setback. No sign that shall be placed closer than fifty (50) feet from intersections, shall have a minimum three (3) foot setback from the curb and shall not overhang the curb, sidewalks or public walkways.
- (e) Placement time. Signs shall be erected, placed or installed only after 6:00 p.m. Friday and shall be removed no later than 5:00 a.m. on the Monday following. All times herein are Central Standard Time. Any sign in a public right-of-way other than during the times permitted herein is subject to seizure and to confiscation.
- (f) Sign spacing. Signs are to be spaced at least one thousand (1,000) feet apart unless there is an intervening directional decision point such as directional change, intersection or required turn in which case spacing may be reduced to a minimum of one hundred (100) feet. Distances are to be measured in a line parallel with the street involved regardless of which side of the streets the signs are erected. A minimum spacing of twenty-five (25) feet from a sign erected by a different permittee under this section shall also be maintained.
- (g) Installation.
  - (1) Signs authorized by this section and permitted by the city shall be supported by stake(s) that are set not more than one (1) foot into the ground. The top of the sign shall not extend higher than four (4) feet above the grade where erected.
  - (2) No sign will be allowed within street median or attached to tree, fence or any public utility pole.
- (h) Enforcement.
  - (1) The building official, or his designee, is hereby authorized and directed to enforce all the provisions of this section. It shall be unlawful for any person to interfere with such official in the discharge of his duties. The official shall have the power to issue citations for any violation of this section.
  - (2) The city may seize any sign(s) in violation of this section. Signs held by the city for more than seven (7) days after seizure may be destroyed or discarded by the city. The seizure fee in the amount established by city council and on file in the offices of the city, per sign may still be imposed and collected even if the sign(s) were destroyed. Seizure of the sign and imposition of a fee therefor, is in addition to any other remedy available to the city.
  - (3) Three violations of any provision of this section, or any other law related to the placement, maintenance, display or use of the sign, in a permit year shall be grounds for permit revocation. No permit may be issued to any person for ninety (90) days subsequent to the third conviction for same or similar signs.
- (i) Maintenance. Each sign together, with its support brace or footing, shall be kept in repair and maintained in good condition. The display surface of each sign shall be kept neatly painted or posted at all times.

- (j) Public safety. Notwithstanding anything contained herein to the contrary, the building official may cause any sign which is dangerous to persons or property to be removed summarily and without notice.

(Ordinance 470-01 adopted 9/18/2001; Ordinance adopting 2017 Code)

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**ARTICLE 14.08**  
**TREE PRESERVATION**

**§ 14.08.001. Purpose.**

- (a) The purpose of this article is to establish rules and regulations governing the protection of trees and vegetation cover within the City of Willow Park, to encourage the protection of healthy trees and vegetation through innovative designs and site plan layouts and to provide for the replacement and replanting of trees that are necessarily removed during construction, development or redevelopment.
- (b) The provisions of this article allow trees located within necessary public rights-of-way and easements to be removed prior to issuance of a building permit. Upon issuance of a building permit, trees within the buildable area of a property may also be removed. All other tree removal requires a tree permit.  
(Ordinance 286-91, sec. 1, adopted 5/21/1991; 1993 Code, sec. 12.301)

**§ 14.08.002. Definitions.**

The following definitions shall apply to this article:

Buildable area. That portion of a building site exclusive of the required yard areas on which a structure or building improvements may be erected, and including the actual structure, driveway, parking lot, pool, and other construction as shown on the site plan.

Drip line. A vertical line run through the outermost portion of the crown of a tree and extending to the ground.

Historic tree. A tree which has been found by the city to be of notable historic interest because of its age, type, size or historic association and has been so designated as part of the official records of the city.

Person. Any corporation, partnership, association or other artificial entity; or any individual; or any agent or employee of the foregoing.

Specimen tree. A tree which has been determined by the city to be of high value because of its type, size, or other professional criteria, and which has been so designated as part of the official records of the city.

Tree. Any self-supporting woody perennial plant which has a trunk diameter of three inches (3") or more when measured at a point of four and one-half feet (4-1/2') above ground level and which normally attains an overall height of at least twenty feet (20') at maturity, usually with one (1) main stem or trunk and many branches. It may appear to have several stems or trunks as in several varieties of oak.

Yard area. The front, side and rear yard areas as required under the comprehensive zoning code and the zoning district requirements applicable thereto.

(Ordinance 286-91, sec. 2, adopted 5/21/1991; 1993 Code, sec. 12.302)

**§ 14.08.003. Applicability of article.**

The terms and provisions of this article shall apply to real property as follows:

- (1) All real property upon which any designated specimen or historic tree is located.
- (2) All vacant and undeveloped property.
- (3) All property to be redeveloped, including additions and alterations.
- (4) The yard areas of all developed property, excluding developed and owner-occupied single-family

residential property.

(Ordinance 286-91, sec. 3, adopted 5/21/1991; 1993 Code, sec. 12.303)

**§ 14.08.004. Tree preservation permit required.**

No person, directly or indirectly, shall cut down, destroy, remove or move, or effectively destroy through damaging, any tree, specimen tree or historic tree situated on property described above without first obtaining a tree permit unless the conditions of section 14.08.007(a) and (b) apply.

(Ordinance 286-91, sec. 4, adopted 5/21/1991; 1993 Code, sec. 12.304)

**§ 14.08.005. Application for permits.**

Permits for removal, or replacement of trees covered herein shall be obtained by making application on a form prescribed by the city to the city manager. Each application will be accompanied with a permit fee, in the amount established by city council on file in the offices of the city, unless the application is part of a larger fee charged. The application shall be accompanied by a preliminary plat showing the exact location, size (trunk diameter and height) and common name of all trees to be removed. The application shall also be accompanied by a written document indicating the reasons for removal or replacement of trees and two copies of a legible site plan drawn to the largest practicable scale indicating the following:

- (1) Location of all existing or proposed structures, improvements and site uses, properly dimensioned and referenced to property lines, setback and yard requirements and special relationships.
- (2) Existing and proposed site elevations, grades and major contours.
- (3) Location of existing or proposed utility easements.
- (4) The location of trees on the site to be removed, or replaced.
- (5) Tree information required above shall be summarized in legend form on the plan and shall include the reason for the proposed removal, or replacement.
- (6) Application involving developed properties may be based on drawings showing only that portion of the site directly involved, adjacent structures, and landscaping or natural growth incidental thereto.
- (7) Aerial photographs, at an appropriate scale, may be substituted, at the discretion of the city manager, for a site plan if adequate site information is supplied on the aerial photographs.

(Ordinance 286-91, sec. 5, adopted 5/21/1991; 1993 Code, sec. 12.305; Ordinance adopting 2017 Code)

**§ 14.08.006. Application review.**

Upon receipt of a proper application, the planning and zoning commission shall review the application for new subdivisions, and the city manager shall review applications for platted lots; said review may include a field inspection of the site, and the application may be referred to such departments as deemed appropriate for review and recommendations. If the application is made in conjunction with a site plan submitted for approval the application will be considered as part of the site plan, and no permit shall be issued without site plan approval. Following the review and inspection, the permit applications will be approved, disapproved, or approved with conditions by the planning and zoning commission or city manager as appropriate, in accordance with the provisions of this chapter.

(Ordinance 286-91, sec. 6, adopted 5/21/1991; 1993 Code, sec. 12.306)

**§ 14.08.007. Tree removal.**

- (a) No tree or trees shall be removed prior to issuance of a building permit unless one of the following conditions exist:
- (1) The tree is located in a utility easement, public street right-of-way, or drainage easement. In the event that certain trees outside the above areas are requested to be removed to allow the operation of equipment, the applicant shall submit a plat and site plan which indicates the exact operation area needed. The city manager may approve selected removal under this condition.
  - (2) The tree is diseased, injured, in danger of falling, interferes with utility service, creates unsafe vision clearance, or conflicts with other ordinances or regulations.
  - (3) The trees are cottonwood, mesquites, or thorn trees.
  - (4) Except for the above, under no circumstances shall there be clear cutting of trees on a property prior to issuance of a building permit.
- (b) Upon issuance of a building permit, developers shall be allowed to remove trees located on the buildable area of the property. Trees located in required yard areas, buffers and open space areas shall be maintained. The buildable area shall include sufficient adjacent area to allow the normal operation of construction equipment.
- (Ordinance 286-91, sec. 7, adopted 5/21/1991; 1993 Code, sec. 12.307)

**§ 14.08.008. Replacement of trees.**

- (a) In the event that it is necessary to remove tree(s) outside the buildable area, the developer, as a condition to issuance of a tree removal permit, may be required to replace the tree(s) being removed with comparable trees somewhere within the site or varieties of ash, oak, pecan or walnut.
  - (b) A sufficient number of trees shall be planted to equal, in caliper, the diameter of the tree removed. Said replacement trees shall be a minimum of three-inch (3") caliper and seven feet (7') in height when planted.
  - (c) At the time of application review, the person responsible for replacement, time of replacement and location will be determined by the planning and zoning commission.
- (Ordinance 286-91, sec. 8, adopted 5/21/1991; 1993 Code, sec. 12.308)

**§ 14.08.009. Maintenance of trees.**

The owner, tenant or agent shall be jointly responsible for the maintenance of all trees including replacement trees and shall be maintained in healthy and growing condition. Trees which die shall be replaced with trees of similar variety and size.

(Ordinance 286-91, sec. 9, adopted 5/21/1991; 1993 Code, sec. 12.309)

**§ 14.08.010. Tree protection.**

- (a) During any construction or land development, the developer shall clearly mark all trees to be maintained and may be required to erect and maintain protective barriers around all such trees or groups of trees. The developer shall not allow the movement of equipment or the storage of equipment, materials, debris or fill to be placed within the dripline of any tree.
- (b) During the construction stage of development, the developer shall not allow cleaning of equipment or material under the canopy of any tree or group of trees to remain. Neither shall the developer allow the disposal of any waste materials such as, but not limited to, paint, oil, solvents, asphalt, concrete,

mortar, etc., under the canopy of any tree or group of trees to remain.

- (c) No attachments or wires of any kind, other than those of a protective nature, shall be attached to any tree.
- (d) Utility companies franchised by the City of Willow Park may remove trees which endanger public safety and welfare by interfering with utility service, except that where such trees are on owner-occupied properties developed for single-family use, disposal of such trees shall be at the option of the property owner.

(Ordinance 286-91, secs. 10, 11, adopted 5/21/1991; 1993 Code, sec. 12.310)

**§ 14.08.011. Penalty.**

The removal and destruction of each tree shall be considered a separate infraction. A penalty of one thousand dollars (\$1,000.00) per infraction per tree shall be imposed and compliance with this article be completed before an occupancy permit shall be issued.

(Ordinance 286-91, sec. 12, adopted 5/21/1991; 1993 Code, sec. 12.311)

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**ARTICLE 14.09**  
**SCREENING, FENCING AND LANDSCAPE REGULATIONS**

**§ 14.09.001. Screening fence requirements.**

- (a) A permanent screening fence not less than six (6) feet in height shall be erected prior to the issuance of a certificate of occupancy on properties zoned "R-3", "R-4", "O", "LR", or "C", and which abuts on properties zoned "R-1" and "R-2". No fence shall be required for schools, churches, and public buildings. Such screening fence shall be erected along the entire length of the common line between such property, on the property required to erect screening, and it shall be permanently and adequately maintained by the owner of the property on which the screening is required to be erected.
  - (b) A permanent screening fence not less than six (6) feet in height shall be erected on "O", "LR", or "C" zoned property which abuts on property "R-1", "R-2", or "R-3", "R-4", or which is separated from such property only by a public or private street thirty (30) feet or less in width. Such fence shall be erected along the entire length of the common line between such properties, or if there is an intervening street, along the nonresidential property line closest to the street separating it from the residentially zoned property. Breaks for vehicular and pedestrian access shall be permitted, as well as for preservation of visibility triangles.
  - (c) Where subdivisions are platted so that the rear yards of "R-1", "R-2", "R-3" or "R-4" zoned lots are adjacent to a dedicated street right-of-way or separated from a street by an alley or service road, the developer shall provide, at his sole expense, a screening fence wall with a minimum height of six (6) feet located on the street right-of-way line or a wooden screening fence with a minimum height of six (6) feet with masonry columns located on a maximum spacing of fifty (50) feet on centers which should be typically taller than the rest of the wall.
  - (d) When a masonry fence is erected adjacent to a dedicated roadway the color of the wall shall be uniform and/or compatible on both sides of a thoroughfare between two intersecting streets. When walls are built in sections, the color shall be as closely similar as possible, but shall in no case be incompatible.
  - (e) The exterior of all sides of each wall of screening fence shall be finished with the same material and shall be similar in appearance to the screening fence located on adjacent properties. Developers are encouraged to create offsets in the masonry fence to provide visual variety and locations for permitted landscaping.
  - (f) In other than residential zoned district fences may be constructed to a maximum height of ten (10) feet above grade. In residentially zoned districts fences shall not be erected to exceed eight feet above grade when located behind the front building line nor four and one-half (4.5) feet in height above grade when located within the required front yard or side yard on a corner lot adjacent to a side street.
  - (g) No fence will be permitted where it will create a visual or a safety hazard.
  - (h) No fence shall be located within any easement except by prior written approval of those agencies having interest in such easement.
- (Ordinance 414-97, ex. F, sec. 12.801, adopted 12/16/1997)

**§ 14.09.002. Landscaping requirements.**

- (a) Purpose. It is the purpose of this section to establish certain regulations pertaining to landscaping in the City of Willow Park. These regulations provide standards and criteria for new and replacement

landscaping which is intended to improve the value of the property and improve the physical appearance of the city.

- (b) Scope. The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all new construction occurring within the city, except that single-family detached dwellings be exempt.
- (c) Enforcement. The provisions of this section shall be administered and enforced by the city manager, or designee. If, at any time after the issuance of a certificate of occupancy, the approved landscaping is found to be in noncompliance to the standards and criteria of this section, the city manager shall issue notice to the owner, citing the violation and describing what action is required to comply with this section. The owner, tenant or agent shall have thirty (30) days from the date of said notice to restore the landscaping as required. If the landscaping is not restored within the allotted time, such person shall be in violation of this article.
- (d) Certificate of occupancy. Prior to the issuance of a certificate of occupancy for any building or structure, all screening and landscaping shall be in place in accordance with the landscape plan required in subsection (e) of this section.
- (1) In the event that the approved proposed development requires an approved subdivision plat, site plan, or master development plan, no such final approval shall be granted unless a landscape plan is submitted and approved.
  - (2) In any case in which an occupancy certificate is sought at a season of the year in which the city manager determines that it would be impractical to plant trees, shrubs or grass, or to lay turf, a temporary certificate of occupancy may be issued.
- (e) Landscape plans. The city manager, or designee, shall review such plans and shall approve it if plans are in accordance with the criteria of these regulations. If the plans are not in accord, they shall be disapproved and shall be accompanied by a written statement setting forth the changes necessary for compliance. Landscape plans shall contain the following information:
- (1) Minimum scale of one inch equals fifty (50) feet;
  - (2) Location of all trees to be preserved;
  - (3) Location of all plants and landscaping materials to be used including paving, benches, screens, fountains, statues, or other landscape features;
  - (4) Species of all plants;
  - (5) Size of all plants;
  - (6) Spacing of plants;
  - (7) Types and description of landscape materials to be used;
  - (8) Layout and description of irrigation, sprinkler or water systems including placement of water sources;
  - (9) Description of maintenance provisions for the landscape plan;
  - (10) Persons responsible for the preparation of the landscape plan.
- (f) Maintenance. The owner, tenant and their agent, if any, shall be jointly and severally responsible for

the maintenance in a neat and orderly manner at all times. This shall include mowing, pruning, fertilizing, watering, weeding, and other such activities common to the maintenance of landscaping.

- (g) General standards. The following criteria and standards shall apply to landscape materials and installation:
- (1) Quality. Plant materials used shall conform to the standards of the American Standard for Nursery Stock, or equal thereto. Grass seed, sod and other material shall be clean and reasonably free of weeds and noxious pests and insects.
  - (2) Trees. Trees referred to in this section shall be of species common to this area of Texas and shall have an average spread of crown of greater than fifteen (15) feet at maturity. Trees having a lesser average mature crown than fifteen (15) feet may be substituted by grouping the same so as to create the equivalent of a fifteen (15) feet crown of spread. Trees shall be a minimum of two and one-half (2.5) caliper inches at the base at the time of planting. Fifty percent (50%) of required trees to be planted shall be of the strong hardwood varieties, such as, but not limited to, varieties of oak, pecan, ash, and walnut.
  - (3) Shrubs and hedges. Shrubs shall be a minimum of one (1) foot in height when measured immediately after planting. Hedges, where installed shall be planted and maintained, and will grow to a minimum of thirty (30) inches at maturity.
  - (4) Vines. Vines shall be a minimum of two (2) feet in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet screening requirements as specified.
  - (5) Ground cover. Ground covers used in lieu of grass in whole and in part shall be planted in such manner as to give a finished appearance and reasonably complete coverage within one year of planting.
  - (6) Lawn grass. Grass areas may be sodded, plugged, sprigged or seeded except that solid sod shall be used in swales, berms or other areas subject to erosion.
  - (7) Other appropriate material. Includes but is not limited to lava rock, wood barks and chips, and other non-living landscape material.
  - (8) Credit for existing trees. Any trees preserved on a site meeting the herein specifications shall be credited toward meeting the tree requirement of any landscaping provision of this section. Trees of exceptional quality due to size, large canopy cover, trunk diameter, rareness, age or species, may at the discretion of the city manager or designee, be credited as two trees for the herein minimum requirements.
- (h) Minimum requirements for off-street parking and vehicular use area. Parking areas and vehicular use areas are to be landscaped to improve the value of the property and improve the physical appearance of the city. The interior perimeter of such areas shall be landscaped in accordance to the following criteria:
- (1) Interior landscaping. A minimum of ten percent (10%) of the gross parking areas shall be devoted to living landscaping which includes grass, ground cover, plants, shrubs and trees. Gross parking area is to be measured from the edge of the parking and/or driveway paving and sidewalks. The following additional criteria shall apply to the interior of parking lots.
    - (A) Interior landscape areas shall be protected from vehicular encroachment of overhang

through appropriate wheel stops or curbs.

- (B) Interior areas of parking lots shall contain planting islands located throughout so as to best relieve the expanse of paving. Planter islands must be located at the terminus of all rows of parking. Such islands shall contain at least one (1) tree. The remainder shall be landscaped with shrubs, lawn, ground cover and other appropriate material. Light standards shall be considered islands for this purpose. Interior planter islands shall have a minimum size of one-half (1/2) parking space width times length of parking space. Landscaping will not create a visual or safety hazard.
- (2) Perimeter landscaping. All parking lots and vehicular use areas shall be buffered from all abutting properties and/or public rights-of-way with a wall, fence, hedge, berm, trees, or other durable landscape. Plants used in buffer areas shall conform to standards as stated in subsection (g).
- (A) Whenever an off-street parking or vehicular use area abuts a public right-of-way, a perimeter landscape area of at least fifteen (15) feet in depth shall be maintained between the abutting right-of-way and the off-street parking or vehicular use area.
- (B) Whenever an off-street parking or vehicular use area abuts an adjacent property line, a perimeter landscape area of at least ten (10) feet in width shall be maintained between the edge of the parking area and the adjacent property line. Whenever such property is zoned or used for residential purposes, the landscape buffer shall include a wall, hedge, or berm not greater than eight (8) feet nor less than three (3) feet in height.
- (C) Necessary accessways from the public right-of-way shall be permitted through all landscaping. The maximum width for accessways shall be:
- (i) Fifty (50) feet for nonresidential two-way movements;
  - (ii) Thirty (30) feet for residential two-way movements;
  - (iii) Twenty (20) feet for nonresidential one-way movements; and
  - (iv) Fifteen (15) feet for residential one-way movements.
- (i) Requirements for non-vehicular open space. In addition to the landscaping of off-street parking and vehicular areas, all remaining open spaces shall be treated so as to enhance the appearance, and to screen any distracting or unsightly structure (i.e. dumpster bin, etc.).
- (1) Grass, ground cover, shrubs, and other landscape materials shall be used to cover all open ground within twenty (20) feet of any building or paving or other use such as storage.
- (2) In all nonresidential zoning districts, a minimum of fifteen (15) percent of the total site area shall be devoted to feature landscaping with not less than fifty (50) percent of the landscaping being located in the front yard.
- (3) Trees shall be planted in nonvehicular open space to meet the following requirements:
- (A) If less than thirty percent (30%) of the site is nonvehicular open space then one (1) tree shall be planted per 2,500 square feet of open space;
  - (B) If thirty to forty-nine percent (30 - 49%) of the site is nonvehicular open space, then one (1) tree shall be planted per 3,000 square feet of open space;

(C) If fifty percent (50%) or more of the site is nonvehicular open space, then one (1) tree shall be planted per 4,000 square feet of open space.

(j) Requirements for visibility.

- (1) Rigid compliance with these landscaping requirements shall not be such as to cause visibility obstructions of any traffic-control devices and/or blind corners at intersections. Whenever an accessway intersects a public right-of-way, or when the subject property abuts the intersection of two or more public rights-of-way, a triangular visibility area shall be designed to provide unobstructed cross-visibility at a level between three (3) feet and six (6) feet.
- (2) The triangular areas are:
  - (A) The areas of property on both sides of the intersection of an accessway and a public right-of-way shall have a triangular visibility area with two (2) sides of each triangle being ten (10) feet in length from the point of the intersection and the third side being a line connecting the ends of the other two sides.
  - (B) The areas of property located at a corner formed by the intersection of two or more public rights-of-way shall have a triangular visibility area with two (2) sides of each triangle being twenty (20) feet in length from the point of the intersection and the third side being a line connecting the ends of the other two sides.
- (3) Landscaping, except required grass and low ground cover, shall not be located closer than three (3) feet from the edge of any accessway pavement.
- (4) In the event other visibility obstructions are apparent in the proposed landscape plan, as determined by the city manager or designee, the requirements set forth herein may be reduced to the extent to remove the conflict.

(Ordinance 414-97, ex. F, sec. 12.802, adopted 12/16/1997)

**ARTICLE 14.10**  
**NEW DEVELOPMENT SITE PLAN PROCESS**

**§ 14.10.001. Intent of "PD" Planned Development District.**

- (a) The "PD" (Planned Development) District is intended to be used for the development of large or mixed use parcels of land and for smaller parcels where dissimilar uses may require special controls to avoid interference with existing or planned uses. Commercial development may be allowed under temporary zoning controls (see article 14.13 of this chapter) with the approval of the city council; however, the approval of a specific use permit must be based on and accompanied by approval of a preliminary site plan as described in this article.
- (b) The "PD" district, through the site planning process, gives the city council control over densities, placement and other attributes of the proposed development and permits modification of certain standard district controls, such as yards or unique commercial uses, in order to produce large area development arranged to better serve community needs, reduce demands on community facilities, and create larger areas of open space than that generated under standard district controls and ensure compatibility with surrounding uses. Property may be classified under the "PD" Planned Development District only in combination with another district or districts (which shall be known as the base district) and shall be so designated by the letter "PD" affixed to the code letters of the base district or districts (e.g. "R-3 PD"). Such "PD" designation does not permit development until a site plan has been approved for the area proposed to be developed. Property may be planned for any use permitted for the base district or for uses permitted only with the "PD" designation.
- (c) The "PD" district may also be applied to Commercial, Local Retail, Office, or Agricultural districts which have been permitted and established under the temporary controls of a specific use permit (see article 14.13 of this code). The purpose of this application is to replace the temporary or interim use allowance with permanent zoning.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 9.01; Ordinance 414-97 adopted 12/16/1997; Ordinance 811-20, sec. 2(E), adopted 11/10/2020)

**§ 14.10.002. General "PD" regulations.**

The requirements established by article 14.06 shall apply to individual areas within a "PD" district as established by the underlying base district, except, however, that modifications to those base district requirements may be otherwise established by a properly approved "PD" site plan.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 9.02; Ordinance 414-97 adopted 12/16/1997)

**§ 14.10.003. "PD" procedures and requirements.**

- (a) Persons desiring, or required, to obtain the "PD" designation should always consult the city manager prior to application. Developers of large parcels (over fifty (50) acres) are encouraged but not required to request a preliminary joint or separate meetings with the city council and planning and zoning commission prior to submission of the initial rezoning request.
- (b) The applicant for "PD" zoning must submit either a conceptual "PD" site plan or a preliminary "PD" site plan with the initial application. In each case, 15 copies of the concept and/or site plan must be submitted to city staff. Note that the "PD" site plan includes drawings and other supporting documentation necessary to provide basis for approval. Large, complex, or unique projects may require iterative development and submittal of supporting information prior to approval.

- (c) If a conceptual "PD" site plan is submitted and the zoning approved, no construction may occur until a preliminary "PD" site plan is submitted and approved by the city council. All "PD" site plan approvals require prior standard rezoning notices and hearings and must be accomplished by ordinance which adopts the plan by reference.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 9.03; Ordinance 414-97 adopted 12/16/1997)

#### **§ 14.10.004. Conceptual "PD" plan.**

Submittal of a conceptual "PD" site plan is strongly recommended. Approval of a conceptual site plan does not constitute approval of the "PD" site plan. The "PD" conceptual site plan, as may be recommended by the commission and if approved by the council shall become a part of the zoning change and subsequent site plans shall conform thereto. Approval of a conceptual "PD" site plan authorizes neither issuance of building permits nor development construction. A conceptual "PD" site plan shall contain at least the following:

- (1) A scaled drawing in which not less than one (1) inch equals one hundred (100) feet, showing area and dimensioned boundaries of the property and the metes and bounds location of the property within the overall plan carrying the differing base district designations, and the location and width of streets and highways adjacent to and on the property. All proposed uses and their location on the drawing, shall be shown either in detail or by reference to the base district combined with the "PD" designation.
- (2) Elevation contours at intervals not exceeding ten (10) feet.
- (3) Existing improvements proposed to be retained when the property is developed.
- (4) Density of dwelling units if intended for residential uses.
- (5) Drawings showing proposed road access points. Dimensions are not required on these drawings.
- (6) Identifiable watercourses and defined floodplain boundaries.
- (7) Proposed maximum height of buildings.
- (8) All area or other requirements differing from that of the base district.
- (9) Location and dimensions of major thoroughfares and secondary collectors.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 9.04; Ordinance 414-97 adopted 12/16/1997)

#### **§ 14.10.005. "PD" site plan approval.**

- (a) The "PD" application package shall include drawings, supporting documents, and proposed plans as may be necessary to provide basis for approval. A request for a "PD" site plan approval shall be processed in accordance with the same review and hearing procedure as a proposal for a zoning district change. The P&Z commission may recommend and the council may require such modification of a conceptual "PD" site plan or a "PD" site plan as will permit the project to exist harmoniously with existing and anticipated development of surrounding areas. Proposed plans, as required by section 14.10.007 herein, shall be used to establish zoning controls and use restrictions. The city council may determine that preliminary site plan approval is provided by temporary zoning controls documented through a specific use permit (see article 14.13 of this chapter). In this event, a schedule and plan for transition to permanent zoning shall be agreed to between the PD applicant and the city. Both parties shall thereby recognize that site plan revisions may be required prior to final

approval. The city council may require separate approvals for:

- (1) A preliminary site plan which authorizes the applicant to begin development, construction, or other modification to existing structures or land. A schedule of events shall be incorporated within the approval of a preliminary site plan to establish expiration of the approval if action is not taken to implement planned development.
  - (2) A final site plan, incorporating specific zoning controls and/or use restrictions, and which shall include all information on the preliminary site plan and needed modifications to reflect "as-built" conditions.
- (b) The preliminary site plan, or final site plan shall comply with all provisions of the Uniform Building Code (UBC). Issuance of a certificate of occupancy, or a temporary certificate of occupancy, shall not be construed as an approval of a violation of any provision of the UBC or any ordinances. Certificates presuming to give authority to violate or cancel any provision of the UBC or other ordinances shall not be valid. Refer also to article 14.18 of this chapter.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 9.05; Ordinance 414-97 adopted 12/16/1997)

#### **§ 14.10.006. Amendments to adopted "PD" site plans.**

All site plans approved hereunder may be amended pursuant to the same procedure and subject to the same limitations and requirements as any other site plan would require for original approval.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 9.06; Ordinance 414-97 adopted 12/16/1997)

#### **§ 14.10.007. "PD" site plan information.**

Every application for approval of a "PD" site plan under the terms of a PD district shall contain sufficient information delineating the characteristics of that site, changes in those characteristics as may be proposed by the development including compliance with the Willow Park tree preservation ordinance (article 14.08), how the development will relate to public services and facilities, and what protection features are included to ensure that the development will be compatible with existing and allowable development on adjacent property. The "PD" site plan includes drawings and other supporting documentation necessary to provide basis for approval. The "PD" site plan shall show and describe at least the following items of information:

- (1) All information for a conceptual "PD" site plan detailed in section 14.10.004(1) and (3) through (9) including all proposed uses.
- (2) A scaled drawing in which not less than one (1) inch equals one hundred (100) feet, showing the land area included within the site, all public and private rights-of-way and easements bounding and intersecting the site and the abutting sites which are proposed to be continued, created, relocated and/or abandoned.
- (3) The proposed finished grade of the site, shown to the contour intervals not to exceed two (2) feet.
- (4) Erosion control and abatement plans and information showing that the development as proposed will not be adversely affected by erosion and will not cause enhanced erosion to surrounding properties.
- (5) The location of each existing and each proposed structure on the site, the general category of uses to be contained therein, the number of stories and overall height, gross floor area, and the location of entrances and exits to buildings.

- (6) The location of all on-site facilities for liquid and solid waste storage or sanitary sewer improvements, as needed, or provision for collection/disposal of wastes off-site.
- (7) The location and width of all curb cuts and driving lanes.
- (8) The dimensions and capacities of parking areas and loading areas, and the character and location of illumination facilities for same.
- (9) Illumination plans and information to show that the proposed illumination will not adversely affect adjacent uses by minimizing spill-over of light or extension of glare in surrounding neighborhoods or areas of the community and information showing that all reasonable modern engineering methods have been used to ensure same.
- (10) A dust abatement and control plan and such information as may be needed to show what type(s) of surface for parking areas and other open areas is necessary to achieve a control of problems from dust or particulate matter. Unless otherwise specifically agreed in the site plan, all parking areas are to be covered with an all-weather surface which will eliminate, so far as is practicable, dust and particulate matter.
- (11) All pedestrian walks, malls and open areas for use by residents, tenants or the public.
- (12) The location, type and height of all walls, fences and screen planting, and landscaping.
- (13) A fencing and screening plan and information to show that the use will be adequately fenced and screened from surrounding areas and further information to show that such screening barriers will be useful to achieve their desired purpose. Applicants may also present evidence of waivers from adjacent land uses if such may be obtained. Generally, a visual barrier, with a minimum height of six (6) feet, will be necessary to screen surrounding uses from which no waiver has been obtained.
- (14) The location, size, height and orientation of all freestanding signs.
- (15) The types of surfacing, such as paving, turfing or gravel, to be used at the various locations.
- (16) A drainage plan and information to show that the development will not be adversely affected by the flooding action, including required off-site drainage easements.
- (17) A health and sanitation plan and information to show that the proposed development will not adversely affect public health or to create a nuisance condition, generate pollution or otherwise endanger public health and welfare. As a minimum, this plan shall provide for control of rodents, insects, and other pests.
- (18) A traffic plan and information to show that the proposed use will harmoniously integrate with and not adversely affect pre-development or planned traffic flows or patterns.
- (19) Information showing that hours of operation will not adversely affect the overall development scheme of the city or existing land uses adjacent to the site.
- (20) Size and locations of water and sewer mains and fire hydrants.
- (21) Location of all easements for drainage, utilities, fire lanes and street rights-of-way. All utilities shall be clearly identified as to intended or actual placement underground or above ground.
- (22) Location of streetlights, sidewalks, storm sewer inlets, and manholes.
- (23) Such other information as the commission or council may require, including, but not limited to, front

building elevation sketches, building exterior surface materials, etc.

(24) A noise abatement plan to reasonably ensure that the permitted use will not disturb adjacent uses. (Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 9.07; Ordinance 414-97 adopted 12/16/1997)

**§ 14.10.008. "PD" administration.**

- (a) If, during the review process it is necessary, in the reasonable judgment of the city manager to have the city engineer or other professional consultant review these plans and, upon notice to the applicant, any additional charges or expenses, incurred by the city for such review by the city engineer or other professionals will be a pass-through charge to be reimbursed by the applicant to the city under Ordinance 330-92 [section 1.09.005] concerning pass-through charges.
- (b) On approval of the preliminary "PD" site plan, all necessary permits or certificates authorized thereby may be issued. At the discretion of the city council, whenever certain items specified by the preliminary site plan are to be prepared or finished and these items are not completed at the time of the approval of the final site plan, a temporary certificate of occupancy may be granted. This temporary certificate of occupancy is to be expressly conditional upon successful completion of the preliminary site plan improvements within the time specified. If, at the time such improvements are to be finished, such improvements are not completed the temporary certificate of occupancy will be terminated. The council can extend the temporary certificate of occupancy when it finds that conditions preventing completion were not foreseeable nor self-imposed by the developer.
- (c) After the project has been finished, violations of the approved (final) site plan can place the certificate of occupancy in jeopardy. The building official shall notify the user of any violations of the site plan. Failure to correct these violations within thirty (30) days of formal notification will result in the certificate of occupancy being revoked.
- (d) Subsequent to the final approval of the site plan, minor changes may be authorized by the city manager after notice to the city council when such minor changes shall not cause any of the following circumstances to occur:
  - (1) A change in the character of the development.
  - (2) An increase in the ratio of the gross floor areas in structures to the area of any lot.
  - (3) An increase in the intensity of use.
  - (4) A reduction in the originally approved separations between buildings.
  - (5) An increase in the problems of circulation, safety, and utilities.
  - (6) An increase in the external effects on adjacent property.
  - (7) A reduction in the originally approved setbacks from property lines.
  - (8) An increase in ground coverage by structures.
  - (9) A reduction in the ratio of off-street parking and loading space to gross floor area in structures.
  - (10) An increase in building height.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 9.08)

**§ 14.10.009. "PD" enforcement.**

- (a) Any violation of the provisions of the approved temporary or final site plan shall constitute a violation of this code. Violations of this code shall be subject to penalties and corrective measures to the full extent permitted by state law.
- (b) The city manager shall maintain, or cause to be maintained, the "PD" site plan and associated documents. Use plans and zoning controls which are unique to a specific "PD" district shall constitute an amendment to this chapter and are applicable to the uses in the "PD" district. Violations are subject to the penalties established in article 14.22 of this chapter.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 9.09; Ordinance 414-97 adopted 12/16/1997)

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**ARTICLE 14.11**  
**UNLISTED USES AND NEWLY ANNEXED AREAS**

**§ 14.11.001. Classification of new and unlisted uses.**

It is recognized that new types of land use will develop and forms of land use not anticipated may seek to locate in the City of Willow Park. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use shall be made as follows:

- (1) The city manager shall refer the question concerning any new or unlisted use to the planning and zoning commission requesting an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of the facts listing the nature of the use and whether it involves dwelling activity, sales, processing, type of product, storage, and amount or nature thereof, enclosed or open storage, anticipated employment, and the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated.
- (2) The planning and zoning commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determine the zoning district(s) within which such use should be permitted.
- (3) The planning and zoning commission shall transmit its findings and recommendations to the city council as to the classification proposed for any new or unlisted use. The city council shall by resolution approve the recommendations of the planning and zoning commission or make such determination concerning the classification of such use as is determined appropriate.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 6.00; Ordinance 414-97 adopted 12/16/1997)

**§ 14.11.002. Newly annexed areas.**

Hereafter, when the boundaries of the City of Willow Park have been extended so as to include any given area, such area shall automatically be placed in an "R-1" zoning district. The planning and zoning commission may recommend to the city council that all or part of such area being placed [be placed] in a different zoning district after the required public hearings. Until this chapter has been properly amended by the city council, such areas shall be subject to the regulation pertaining to the "R-1" district.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 10.00; Ordinance 414-97 adopted 12/16/1997)

**ARTICLE 14.12  
OFF-STREET PARKING AND LOADING REQUIREMENTS**

**§ 14.12.001. Parking requirements based on use.**

In all districts there shall be provided at the time any building or structure is erected or structurally altered (except as provided in section 14.12.002), off-street parking spaces in accordance with the following requirements:

All parking spaces, driveways, display areas, and off-street parking spaces shall be concrete pavement.

**Editor's note**—The provisions regarding concrete pavement in the above paragraph were in the amendment of this section by Ord. 811-20 but were not in the subsequent amendment by Ord. 858-22. This appears to have been an inadvertent error in the drafting of Ord. 858-22.

Land Use	Requirements	Additional Requirements
<b>Residential Uses</b>		
Assisted living	1 space per 3 beds	1 additional space/300 sq. ft. of office/administrative/ employee areas
Bed & breakfast	2 spaces	1 additional space for each guest unit
Condominium, multifamily	1.5 spaces for 1-bedroom unit 2.5 spaces for 2-bedroom unit 3.5 spaces for 3+ bedroom unit	None
Senior multifamily (age restricted, 55+)	1.5 spaces per unit	None
Convalescent, rest, nursing home	1 space per 4 beds	None
Duplex	2 spaces per unit	One enclosed (garage)
HUD-code manufactured home	2 spaces per unit	None
Mobile home/manufactured housing park, subdivision	2 spaces per unit	None
Retirement home	1.5 spaces per unit	None
Single-family detached, patio home, townhome units, duplex	2 spaces per unit	Both spaces are to be enclosed (garage)
<b>Institutional &amp; Public Uses</b>		
Athletic stadium or field	1 space per 6 units	None
Church	1 space per 4 seats in the main auditorium	None
Civic center/auditorium	1 space per 4 seats of total capacity	1 space per each employee

<b>Land Use</b>	<b>Requirements</b>	<b>Additional Requirements</b>
Community center, library, museum	Minimum 10 spaces, not including auditorium	1 additional space per 300 sq. ft. of floor area in excess of 2,000 sq. ft. plus 1 additional space per 4 seats for auditoriums that are part of the building
Day care or day nursery	1 space per 10 pupils	1 per teacher
Foster family home	2 spaces per unit	None
Foster group home	2 spaces per unit	1 space per every 3 residents
General residential operation	1 space per every 3 residents	1 space per each employee
<b>Educational</b>		
College or university	1 space per each day student	None
Elementary school	1 space per 650 sq. ft.	1 space per each employee
Junior high or middle school	1 space per 650 sq. ft.	1 space per each employee
Senior high school	1 space per 150 sq. ft.	1 space per each employee
<b>Amusement and Entertainment</b>		
Commercial amusement/indoor	1 space per 100 sq. ft. of floor area	None
Commercial amusement/outdoor	1 space per 4 seats plus 1 seat per 100 sq. ft. floor area used for amusement with no seating	None
Banquet hall, private	1 space per 150 sq. ft. of floor area	None
Bowling alley	6 spaces per lane or alley	1 space per each employee
Golf course	5 spaces per hole	None
Golf or country club	1 space per 150 sq. ft. of floor area	Or 1 space per 5 members, whichever results in more spaces
Lodge or fraternal organization	1 space per 200 sq. ft.	None
Park and recreational facilities	1 space per 500 sq. ft. of site area exclusive of buildings	None
Public assembly hall	1 space per 3 seats or bench seating spaces	None
Racetrack	1 space per 500 sq. ft. of site area exclusive of buildings	None
Theater, sports arena, gymnasium, auditorium, athletic fields	1 space per 3 seats or bench seating spaces	None
<b>Office and Professional</b>		
Office center	1 space per 200 sq. ft.	None

Land Use	Requirements	Additional Requirements
Office or professional business	1 space per 200 sq. ft.	None
Real estate office	1 space per 200 sq. ft.	None
Personal services stores	1 space per 200 sq. ft.	None
Studios	1 space per 300 sq. ft.	None
<b>Retail, Services and Commercial</b>		
Antique stores	1 space per 400 sq. ft.	None
Bank and savings & loan or other similar institution	1 space per 300 sq. ft.	Minimum 3 stacking spaces from teller window or ATM, shall not conflict with required maneuvering
Barber/salon	1 space per 200 sq. ft.	Minimum 3 spaces
Convenience store	1 space per 300 sq. ft.	None
Dry cleaning	1 space per 300 sq. ft.	None
Bakery/confectionary	1 space per 200 sq. ft.	None
Farmers' market	1 space per vendor plus 1 space for each 400 sq. ft. of market or display area	Farmers' market parking shall be in addition to minimum parking requirements for the primary use of the property
General market	1 space per 600 sq. ft. of site area utilized for market	None
Furniture, appliance sales	Minimum 2 spaces	1 additional space per 300 sq. ft. of area over 1,000 sq. ft.
Grocery store	1 space per 300 sq. ft. of retail floor area	Minimum 3 car stack space from any pickup window, shall not conflict with required maneuvering
Hotel or motel	1 space per room or suite	Plus 1 space per 200 sq. ft. of public assembly area and restaurants
Kennel	1 space per 300 sq. ft.	None
Laundromat	1 space per 200 sq. ft.	None
Mortuary or funeral home	1 space per 50 sq. ft. of floor space in parlors or funeral service rooms	None
Restaurant, cafe, cafeteria	1 space per 200 sq. ft.	None

Land Use	Requirements	Additional Requirements
Restaurant - drive-in	1 space per 150 sq. ft.	Minimum of 5 stacking spaces from voice order board or order window, shall not conflict with required maneuvering
Retail sales (other than antique stores)	1 space per 200 sq. ft.	None
Service and repair shops	1 space per 300 sq. ft.	None
Shopping center	1 space per 300 sq. ft.	None
Veterinary clinic	1 space per 300 sq. ft.	None
Gym/exercise/aerobics	1 space per 200 sq. ft.	None
Wine tasting facility (winery) or brew-pub (micro-brewery) or micro-distillery	1 space per 2.5 seats or 1 space per 300 sq. ft., whichever is greater	None
<b>Medical Uses</b>		
Clinic, medical, or dental office	1 space per 200 sq. ft.	None
Hospital/sanitarium	1 space per bed	1 space per employee on the largest work shift
<b>Automotive, Communication and Transportation</b>		
Auto or machinery sales	1 space per 500 sq. ft.	Or 1 space per 2,000 sq. ft. of lot area for outdoor uses, or whichever is greater
Auto repair	Minimum of 5 spaces	1 space per 200 sq. ft. of floor area or repair garage
Auto service station	Minimum of 6 spaces	None
Auto/trailer leasing	1 space per 500 sq. ft.	None
Boat sales, repair, rental	1 space per 500 sq. ft.	None
Car wash (full service, self-service or automatic)	3 stacking spaces per wash bay	1 space per each employee with a minimum of 1 space
Mobile home, recreational vehicle sales	1 space per 500 sq. ft.	None
Terminal, bus/train/truck	Minimum of 5 spaces	1 space per 200 sq. ft. of floor area or repair garage
<b>Industrial and Heavy Commercial</b>		
Building materials, lumber storage yards	1 space per 3 employees	Or 1 space per 1,000 sq. ft. area, whichever results in more spaces
Construction equipment rental and/or sales	1 space per 500 sq. ft.	Minimum of 5 spaces provided

Land Use	Requirements	Additional Requirements
Feed lot	1 space per 1,000 sq. ft. site area	1 space per each employee
Industrial/manufacturing activities	1 space per 3 employees	Or 1 space per 1,000 sq. ft. area, whichever results in more spaces
Heavy commercial	1 space per 500 sq. ft.	1 space per each employee
Mini-warehouse	Minimum 4 spaces per complex	1 additional space per 5,000 sq. ft. of storage space
Warehouse, wholesale	1 space per 3 employees	Or 1 space per 1,000 sq. ft. area, whichever results in more spaces
Portable building sales	1 space per 500 sq. ft.	None
Showroom/warehouse with office	1 space per 750 sq. ft.	1 space per each employee
Wrecking, salvage, reclamation yard	1 space per 3 employees	Or 1 space per 1,000 sq. ft. area, whichever results in more spaces

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 11.01; Ordinance 414-97 adopted 12/16/1997; Ordinance 811-20, sec. 2(F), adopted 11/10/2020; Ordinance 858-22 adopted 4/12/2022)

#### § 14.12.002. Rules for computing number of parking spaces.

In computing the number of parking spaces required for each of the above uses the following rules shall govern:

- (1) "Floor area" shall mean the gross area of the specific use.
- (2) Where fractional spaces result, the parking spaces required shall be construed to be the nearest whole number.
- (3) The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature.
- (4) Whenever a building or use constructed or established after the effective date of this chapter, is changed or enlarged; in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase of ten (10) percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change.
- (5) In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 11.02; Ordinance 414-97 adopted 12/16/1997)

#### § 14.12.003. Location of parking spaces.

- (a) All parking spaces required herein shall be located on the same lot with the building or use served, except as follows:
  - (1) Where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively or used jointly by two (2) or more buildings or establishments, the required spaces may be located a distance not to exceed three hundred (300)

feet from an institutional building served and not to exceed five hundred (500) feet from any other nonresidential building served.

- (2) Not more than fifty (50) percent of the parking spaces required for, (a) theaters, bowling alleys, dance halls, nightclubs, cafes or similar uses, and not more than eighty (80) percent of the parking spaces required for a church or school auditorium or similar uses may be provided and used jointly by (b) similar uses not normally on, used or operated during the same hours as those listed in (a); provided, however, that written agreement thereto is properly executed and filed as specified below.
  - (3) Accessible parking will be in accordance with the State of Texas - Elimination of Barriers and the American Disability Act (ADA).
- (b) In any case where the required parking spaces are collectively or jointly provided and used, a written agreement thereby assuring their retention for such purposes, shall be properly drawn and executed by the parties concerned, approved as to form by the city attorney and shall be filed with the application for a building permit.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 11.03; Ordinance 414-97 adopted 12/16/1997; Ordinance 858-22 adopted 4/12/2022)

**§ 14.12.004. Minimum dimensions for off-street parking.**

- (a) Ninety (90) degree angle parking. Each parking space shall be not less than nine (9) feet wide nor less than eighteen (18) feet in length. Maneuvering space shall be in addition to parking space and shall be not less than twenty-four (24) feet perpendicular to the building or parking line.
- (b) Sixty (60) degree angle parking. Each parking space shall be not less than nine (9) feet wide perpendicular to the parking angle nor less than eighteen (18) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be in addition to parking space and shall be not less than twenty-four (24) feet perpendicular to the building or parking line.
- (c) Forty-five (45) degree angle parking. Each parking space shall be not less than nine (9) feet wide perpendicular to the parking angle nor less than eighteen (18) feet in length when measured at right angles to the building or parking line. Maneuvering space shall be in addition to parking space and shall be not less than twenty-four (24) feet perpendicular to the building or parking line.
- (d) When off-street parking facilities are located adjacent to a public alley, the width of said alley may be assumed to be a portion of the maneuvering space requirement.
- (e) When off-street parking facilities are provided in excess of the minimum amounts herein specified, or when off-street parking facilities are provided but not required by this chapter, said off-street parking facilities shall comply with the minimum requirements for parking and maneuvering space herein specified.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 11.04; Ordinance 414-97 adopted 12/16/1997; Ordinance 858-22 adopted 4/12/2022)

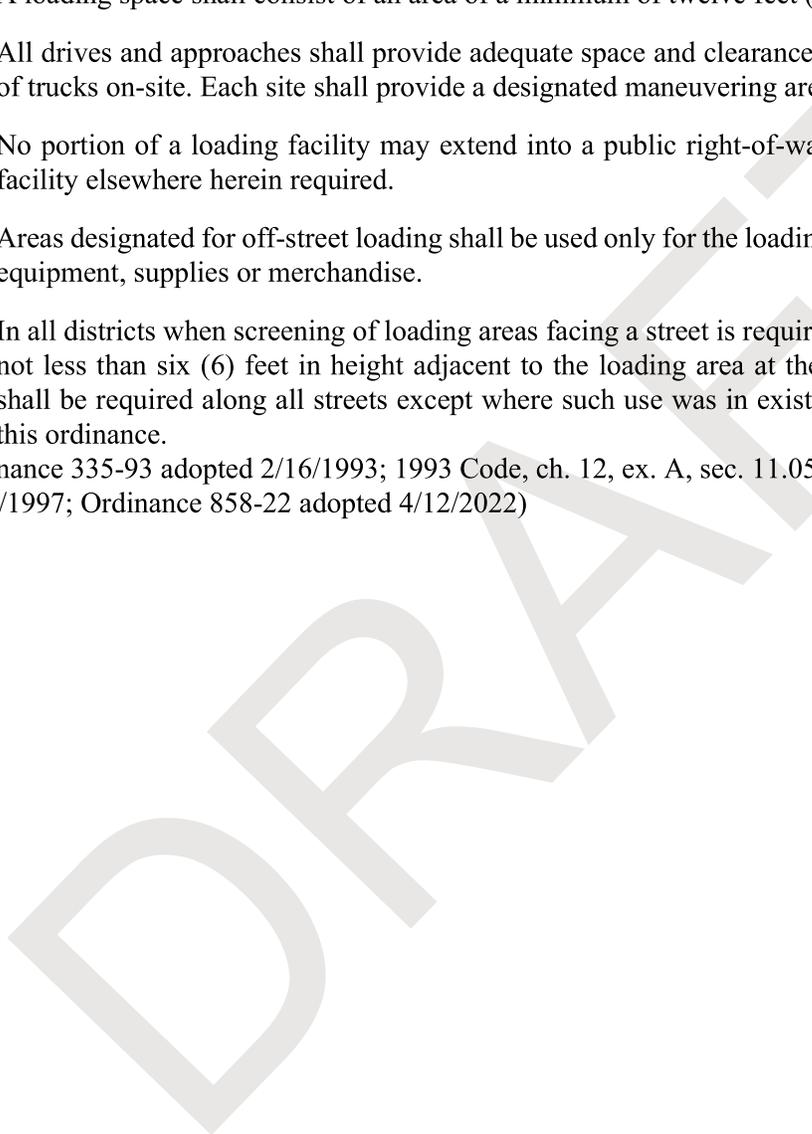
**§ 14.12.005. Off-street loading space.**

- (a) All retail, commercial and industrial structures shall provide and maintain an off-street area for the loading and unloading of merchandise and goods at ratios according to the following table.

Square Feet of Gross Floor Area in Structure	Maximum Required Spaces or Berths
0 - 4,999 sq. ft.	None
5,000 - 20,000 sq. ft.	1 space
Each additional 20,000 sq. ft.	1 additional space

- (b) A loading space shall consist of an area of a minimum of twelve feet (12') by thirty feet (30').
- (c) All drives and approaches shall provide adequate space and clearances to allow for the maneuvering of trucks on-site. Each site shall provide a designated maneuvering area for trucks.
- (d) No portion of a loading facility may extend into a public right-of-way or into an off-street parking facility elsewhere herein required.
- (e) Areas designated for off-street loading shall be used only for the loading and unloading of passengers, equipment, supplies or merchandise.
- (f) In all districts when screening of loading areas facing a street is required, screening shall be provided not less than six (6) feet in height adjacent to the loading area at the property line. Said screening shall be required along all streets except where such use was in existence at the date of adoption of this ordinance.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 11.05; Ordinance 414-97 adopted 12/16/1997; Ordinance 858-22 adopted 4/12/2022)



**ARTICLE 14.13**  
**SPECIFIC USE PERMITS**

**§ 14.13.001. Specific uses.**

The city council by an affirmative vote after public hearing and proper notice to all parties affected, and after recommendations from the planning and zoning commission that the use is in general conformance with the master plan of the city and containing such requirements and safeguards as are necessary to protect adjoining property, shall authorize the location of certain uses in a special district. The application shall be accompanied by a site plan drawn to scale and showing the general arrangement of the project. The application must show:

- (1) Off-street parking facilities.
- (2) Size, height, construction materials, and locations of buildings.
- (3) The uses to be permitted (per structure).
- (4) Location and construction of signs.
- (5) Means of ingress and egress to public streets.
- (6) The type of visual screening such as walls, paintings, and fences.
- (7) The relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred (200) feet.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 12.01; Ordinance 414-97 adopted 12/16/1997; Ordinance 670-13 adopted 6/11/2013)

**§ 14.13.002. Specific use permit regulations.**

- (a) In recommending that a specific use permit for the premises under consideration be granted, the planning and zoning commission shall determine that such uses are harmonious with and adaptable to building structures and uses of abutting property and other property in the vicinity, and with the requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures, and compatibility of building construction.
- (b) If the applicant has not obtained a building permit within six months, or a certificate of occupancy within one year of being granted the permit, the specific use permit shall lapse and become invalid. In the event the building, premises, or land uses under the specific use permit is voluntarily vacated for a period of no less than six (6) months, or if such building, premises, or land is more than fifty (50) percent destroyed by fire or other cause, the use of the same shall thereafter conform to the regulations of the original zoning district of such property unless a new and separate specific use permit is granted for continuation of the use.
- (c) In granting a specific use permit, the city council may impose conditions which shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the building official for use of the building on such property pursuant to such specific use permit; any such conditions shall not be construed as the only conditions precedent to the granting of the certificate of occupancy.
- (d) No specific use permit shall be granted unless the applicant, owner, and grantee of the specific use permit shall be willing to accept and agree to be bound by and comply with the written requirements

of the specific use permit as attached to the site plan drawing (or drawings) and, after review and recommendation by the planning and zoning commission, as approved by the city council. In any case where council action differs from a recommendation provided by the planning and zoning commission, the council action shall include rationale for said difference.

- (e) No building, premises, or land used under a specific use permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless a separate specific use permit is granted for such enlargement, modification, structural alteration, or change. Any enlargement, modification, structural alteration, revision to operating conditions, or other change shall be documented in appropriate revisions to the site plan.
- (f) The applicant is required to display a copy of the specific use permit and certificate of occupancy in a location on the premises capable of being viewed by the public.
- (g) The city council, in its determination that a specific use permit be granted, shall set additional conditions to those specifically enumerated in subsection (a) above, as it may deem in the best interest of the community. Information associated with a planned development district (article 14.10) may be drawn upon as guidance to the planning and zoning commission and city council. An approved specific use permit shall be effective for ninety (90) days to two (2) years following date of issuance. (Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 12.02; Ordinance 414-97 adopted 12/16/1997; Ordinance 670-13 adopted 6/11/2013)

**§ 14.13.003. Specific use permit extensions, renewals, and modifications.**

- (a) The city council may issue a specific use permit with a duration of up to ten (10) years which may be renewed for an additional ten (10) year period if the specific use still conforms to the provisions of this article or the permit has not otherwise been revoked or suspended.
- (b) Modifications to any controls or use conditions, addition of structures, or structural alteration to existing structures shall require application for and approval of a new specific use permit. (Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 12.03; Ordinance 414-97 adopted 12/16/1997; Ordinance 670-13 adopted 6/11/2013)

**§ 14.13.004. Administration of specific use permits.**

The approvals and other information as may be necessary to maintain appropriate controls on specific use permits shall be filed in the office of the city manager. The city manager shall provide notification to each land owner and grantee of no less than thirty (30) days prior and no more than sixty (60) days prior to the expiration of a specific use permit in cases where the approved term of the specific use permit is greater than three hundred and sixty (360) days. During the term of a specific use permit, violations of the approved (final) site plan can place the certificate of occupancy or specific use permit in jeopardy. The city manager shall notify the user of any violations of the site plan. Failure to correct these violations within thirty (30) days of formal notification will result in the certificate of occupancy and specific use permit being revoked. Convictions of municipal code violations or state or local law violations related to the property may also result in revocation of the permit. (Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 12.04; Ordinance 414-97 adopted 12/16/1997; Ordinance 670-13 adopted 6/11/2013)

**§ 14.13.005. Transition from temporary zoning controls.**

In the event that the grantee of a specific use permit desires to obtain zoning approval of a permanent

nature, an application for a PD district shall be required. (See article 14.10 of this chapter.)  
(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 12.05; Ordinance 414-97 adopted 12/16/1997; Ordinance 670-13 adopted 6/11/2013)

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**ARTICLE 14.14**  
**NONCONFORMING USES**

**§ 14.14.001. Continuation of nonconforming use.**

Except as this chapter may otherwise require, any nonconforming use may be continued in operation on the same land and on the same floor area in a structure or structures which were occupied by the nonconforming use on the effective date of these regulations or on the effective date of any amendment by which the use became nonconforming, but such land area or floor area shall not be increased. In the event a nonconforming use of any building or premises is voluntarily discontinued for a period of ninety (90) days, the use of the same shall thereafter conform to the provisions of the district in which it is located.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 13.01; Ordinance 414-97 adopted 12/16/1997)

**§ 14.14.002. Changing a nonconforming use.**

- (a) Any nonconforming use may be changed to a use conforming with the regulations herein established for the district in which the nonconforming use is located; provided however, that a nonconforming use so changed shall not be changed to another nonconforming use.
- (b) If a building occupied by nonconforming uses is fifty percent (50%) or more destroyed or damaged by fire or the elements, it may not be reconstructed or rebuilt except to conform with the provisions herein.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 13.02; Ordinance 414-97 adopted 12/16/1997)

**§ 14.14.003. Amortization of nonconforming uses.**

Subject to the provisions above, any lawful nonconforming use may continue in such use notwithstanding a conflict with its present zoned use. In certain cases, however, such uses may be terminated after a period of time in order to more fully realize the comprehensive plan, ensure compatibility with adjacent uses, promote aesthetic and harmonious development and generally promote the health, safety and welfare of the community.

- (1) Subject to the appeal plan below, all nonconforming uses in the following categories will be terminated and replaced by uses in conformity with the applicable zoning regulations on the specified anniversary date after the adoption of this chapter.
  - (A) Ten (10) years: Commercial billboards, commercial uses of any sort not listed below in residentially zoned areas, and all commercial uses (not listed below) not in conformity with present zoning requirements.
  - (B) Two (2) years: Junkyards, outdoor storage yards, undeveloped uses zoned at variance with current ordinances, kennels, cement or asphalt batch plants, rock crushers, flea markets.
- (2) If any owner of a property subject to amortization and termination under this chapter feels that such amortization period is unfair with regard to such property, the owner may, within ninety (90) days of the passage of this chapter file an appeal with the city council of the City of Willow Park specifying why this regulation is unjust or unfair with regard to such property. Pursuant to such appeal to the city council may, after hearing and considering such evidence as may be provided, extend the period of amortization at its discretion. Failure to perfect an appeal by filing same within ninety (90) days of

the passage of this chapter or the denial of certificate of occupancy as a lawful nonconforming use under section 14.18.005 of this chapter will constitute acquiescence to the terms stipulated above. (Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 13.03; Ordinance 414-97 adopted 12/16/1997)

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**ARTICLE 14.15**  
**ENFORCEMENT AND APPLICATION**

**§ 14.15.001. Building permits required.**

No building or other structure valued at more than five hundred dollars (\$500.00) shall be erected, moved, added to, or structurally altered without a permit therefor, issued by the building official. No building permit shall be issued except in conformity with the provisions of this chapter, except after written order from the board of adjustment.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 14.01; Ordinance 414-97 adopted 12/16/1997)

**§ 14.15.002. Application for building permit.**

(a) All applications for building permits shall be accompanied by plans in duplicate, drawn to scale, showing the actual dimension and shape of the lot to be built upon; the exact sizes and locations of the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the building official of the building and land, the number of families, housekeeping units, or rental units the building is designed to accommodate, conditions existing on the lot, and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this chapter.

(b) One copy of the plans shall be returned to the applicant by the building official after he shall have marked such copy either as approved or disapproved and attested to same by his signature of such copy. The second copy of the plans, similarly marked, shall be retained by the building official.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 14.02; Ordinance 414-97 adopted 12/16/1997)

**§ 14.15.003. Expiration of building permit.**

If the work described in any building permit has not begun within ninety (90) days from the date of issuance thereof, said permit shall expire; it shall be cancelled by the building official; and written notice thereof shall be given to the persons affected.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 14.03; Ordinance 414-97 adopted 12/16/1997)

**§ 14.15.004. Construction and use to be as provided in applications, plans, permits, and certificates of zoning compliance.**

Building permits or certificate of zoning compliance issued on the basis of plans and applications approved by the city manager authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Use, arrangement, or construction, or variance with that authorized shall be deemed violation of this chapter, and punishable as provided by article 14.2244 herein.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 14.04; Ordinance 414-97 adopted 12/16/1997)

**ARTICLE 14.16  
COMMISSIONS****§ 14.16.001. Definition.**

The word "commission" or "planning commission" or "zoning commission" when used in chapters 10 and 14 of this code shall be construed to mean the "planning and zoning commission."

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 15.00; Ordinance 414-97 adopted 12/16/1997; Ordinance 475-01, sec. 3, adopted 11/20/2001; Ordinance 683-14 adopted 6/10/2014)

**§ 14.16.002. Establishment.**

A planning and zoning commission is hereby re-established in accordance with the provisions of Texas Local Government Code, chapters 211 and 212, regarding the planning and zoning of cities and their extraterritorial area and with the powers and duties as provided in said statutes.

(Ordinance 683-14 adopted 6/10/2014)

**§ 14.16.003. Membership and terms.****(a) Membership.**

- (1) The planning and zoning commission ("commission") shall consist of five voting commissioners separately appointed to specific offices designated as: Place 1, Place 2, Place 3, Place 4, and Place 5. The mayor shall make a recommendation of qualified persons to the city council to serve as commissioners. Each commissioner shall be selected and appointed by a majority vote of the city council.
- (2) The commission shall consist of the five commissioners and two alternates appointed by the mayor. The alternates shall be appointed to specific offices designated as: Alternate 1 and Alternate 2.
- (3) Alternate commissioners may attend and participate in all commission meetings and discussions. Only in the absence of one or more commissioners can an alternate be counted for quorum determination or vote on commission business or matters appearing on the agenda. A vote cast by an alternate commissioner, when eligible to vote, shall be cast first by Alternate Place 1 and by Alternate Place 2, only in the absence of two or more commissioners or the Alternate Place 1 person.
- (4) The secretary shall maintain a list of the names, addresses, telephone numbers and terms of each commissioner and alternates and shall make such list available to the commission and city council after each commission appointment. The secretary shall also provide the city council at least 60 days' notice of the expiration of a commissioner's term of office.
- (5) To qualify as a commissioner the person must have been a resident of the city for one year.
- (6) The city will make training opportunities available for each commissioner and allow attendance at seminars and workshops relating to the basics of municipal planning and zoning in Texas, with tuition, if any, paid by the city.
- (7) Commissioners may resign their office at any time by submitting written notice to the secretary. The city may remove a commissioner or alternate at any time for any reason by a majority vote of the city council.

(b) Term.

- (1) Each member of the commission will be appointed to a two-year term, with the term beginning in January as follows:
  - (A) Place 1, Place 3, and Place 5 in odd-numbered years.
  - (B) Place 2 and Place 4 in even-numbered years.
- (2) Each alternate will be appointed for a one-year term with the term beginning in January of each year.
- (3) A commissioner vacancy shall be filled in accordance with subsection (a)(1) for the unexpired term of the office vacated.

(Ordinance 683-14 adopted 6/10/2014; Ordinance 733-16 adopted 9/20/2016; Ordinance 851-22 adopted 2/8/2022)

**§ 14.16.004. Procedure.**

- (a) Meetings. The commission shall schedule regular monthly meetings.
- (b) Quorum. A majority of the commissioners shall constitute a quorum to conduct business. An affirmative vote of a majority of those present and qualified to vote at any meeting, shall be necessary to pass any motion, recommendation or resolution.
- (c) Presiding officers.
  - (1) Each year during its first meeting in January, or as soon after as practicable, the commission shall elect presiding officers from the commissioners, including, at a minimum, a chair and a vice-chair. An alternate commissioner is not eligible to be an officer.
  - (2) The chair, or in absence of the chair, the vice-chair, shall preside at all meetings of the commission.
- (d) Rules and regulations. The city staff shall recommend, in consultation with the commission, and the city council will consider rules and regulations for the practical and efficient transaction of commission business. Such rules and regulations may address but is not limited to items such as: rules of order, plat application requirements, production of documents, ethics, and special meetings.

(Ordinance 683-14 adopted 6/10/2014; Ordinance 733-16 adopted 9/20/2016; Ordinance 851-22 adopted 2/8/2022)

**§ 14.16.005. Duties and powers.**

- (a) General. The commission shall exercise all powers necessary and appropriate to recommend the approval or disapproval of plans, plats, replats, or other regulation of land as authorized by chapters 211 and 212, Texas Local Government Code, subject to final approval by the city council.
- (b) Enumerated duties and powers.
  - (1) Recommend approval or disapproval of boundaries for the original zoning districts, proposed changes to a zoning district or map, or changes to zoning regulations for any district.
  - (2) Recommend approval or disapproval of the platting of land within the corporate limits and extraterritorial jurisdiction of the city as permitted by law, with the exception of amending plats

and minor plats as provided in section 212.0065 Texas Local Government Code.

- (3) Recommend to the city council a comprehensive plan for the orderly development of the city. The commission shall, from time to time, recommend changes or updates to the comprehensive plan as necessary and appropriate.
- (4) Under council direction, and with input from city staff, study and make recommendations on the location, extension and planning of public rights-of-way, parks or other public places, including the vacating or closing of same.
- (5) Under council direction, and with input from city staff, study and make recommendations on the general design and location of public buildings, bridges, viaducts, street fixtures and other structures and appurtenances.
- (6) Notice and conduct public hearings or motions for the city:
  - (A) For the opening, vacating or closing of public rights-of-way, parks or other public places;
  - (B) For the zoning of recently annexed areas; or
  - (C) For a change of zoning district boundaries or regulations.
- (7) Submit each June a progress report to the city council summarizing the work and major accomplishments of the commission during the past year, accompanied with a proposed work program for the next fiscal year. The report shall contain a meeting attendance record for all members of the commission.

(Ordinance 683-14 adopted 6/10/2014)

**§ 14.16.006. Staff support.**

- (a) Staff liaison. A city employee will be designated as staff liaison by the city manager to handle routine correspondence for the commission, prepare and post all required agendas, notices, maintain documents and files on all matters to be considered by the commission, prepare reports for the commission, provide relevant information to be considered by the commission to assist them in performing their functions, and ensure proper agenda item wording, notification and compliance with Texas Open Meetings Act.
- (b) Minutes. A recording secretary shall be designated by the city manager to keep complete and accurate minutes of the commission meetings. The city secretary shall be the custodian of commission records. Minutes shall include, at a minimum, a written narrative of all motions and votes taken as well as all relevant discussions, recommendations, findings and resolutions of the commission. After approval by a majority of the commission, the minutes shall be made public.
- (c) Reporting. For each regular city council meeting, city staff shall provide a written report to each member of city council summarizing any recommendations of the commission to be presented to council at that meeting. Such written report shall identify the matter in question, the date when the matter was declared administratively complete, the timeline for review, any unresolved issues, the recommendation of the commission, and the individual votes cast by the commissioners or alternates.

(Ordinance 683-14 adopted 6/10/2014)

**ARTICLE 14.17**  
**BOARD OF ADJUSTMENT**

**§ 14.17.001. Definition.**

The word "board" when used in this article shall be construed to mean the board of adjustment. (Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 16.00; Ordinance 414-97 adopted 12/16/1997)

**§ 14.17.002. Organization and procedure.**

- (a) Establishment. A board of adjustment is hereby established in accordance with the provisions of V.T.C.A., Local Government Code, chapter 211, regarding the zoning of cities and with the powers and duties as provided in said statutes.
- (b) Membership.
- (1) The board shall consist of five (5) citizens of Willow Park. Members will be appointed by the mayor and confirmed by the city council. Each board member will serve within the designated Place position numbered 1 through 5, and serve a 2-year term, to begin January of each even year for even-numbered places and each odd year for odd-numbered places. Each member of the board shall be removable for cause by the city council upon written charges and after public hearings. Vacancies shall be filled by the city council for the unexpired term of any member whose term becomes vacant. There may be a maximum of four alternates to the board to be appointed in like manner to serve in the absence of a regular member. Alternates must attend a minimum of two (2) meetings per year.
  - (2) The board of adjustment shall be scheduled to meet on a quarterly basis. It shall be grounds for removal of any member of the board who is absent from two (2) consecutive meetings without cause. The chairperson of the board shall be elected by the board membership each year and may not hold the chair position of any other city board or commission.
- (c) Meetings. The board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this Act. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the city secretary and shall be a public record.
- (Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 16.01; Ordinance 414-97 adopted 12/16/1997; Ordinance 850-22 adopted 2/8/2022)

**§ 14.17.003. Appeals.**

- (a) Procedure. Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the administrative officer. In the enforcement of the zoning ordinances, such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the board of adjustment a notice of appeal specifying the grounds thereof and, unless waived by the city council, by payment of the fee stipulated in article 14.20 of this chapter for an application to the board. The

officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed was taken.

- (b) Stay of proceedings. An appeal shall stay all proceedings in furtherance of the action appealed from unless the building official shall certify to the board of adjustment that by reasons of facts stated in the certificate, a stay would, in his opinion, cause peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of equity, after notice to the officer from whom the appeal is taken and on due cause shown.
- (c) Notice of public hearing on appeal. The board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, give public notice thereof, as well as due notice to the parties in interest, and shall mail notices of such hearing to the owners of property lying within two hundred (200) feet of any point of the lot or portion thereof on which a variation is desired, and to all other persons deemed by the board to be affected thereby. Notice shall be given not less than ten (10) days prior to the public hearing.
- (d) Decision by the board. The board shall decide the appeal within a reasonable time. Upon the hearing, any party may appear in person or by agent or attorney.  
(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 16.02; Ordinance 414-97 adopted 12/16/1997)

**§ 14.17.004. Powers and duties of the board.**

- (a) The board of adjustment shall have the following powers:
- (1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter.
  - (2) To hear and decide special exceptions to the terms of this chapter upon which said board is required pass under this chapter. Provisions established by approved specific use permits or planned development districts are not subject to review by the board of adjustments.
  - (3) To authorize upon appeal in specific cases such variance from the terms of this chapter which will not be contrary to the public interest, when, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship, and so that the spirit of this chapter shall be observed and substantial justice done.
- (b) In exercising the above-mentioned powers such board may, in conformity with the provisions of this Act, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination from which an appeal is taken and make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.
- (c) The concurring vote of four (4) members of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter. In order to effect any variation in this chapter the board must answer in a positive manner all the following questions:
- (1) That literal enforcement of the controls will create an unnecessary hardship or practical difficulty in the development of the affected property.
  - (2) That the situation causing the hardship or difficulty is unique to the affected property and is not

self-imposed by the applicant.

- (3) That relief sought will not injure the permitted use of adjacent conforming property.
- (4) That the granting of the variance will be in harmony with the spirit and purposes of this chapter.

Each question must be taken individually and each question must be voted on individually.

- (d) Changes. The board shall have no authority to change any provisions of this chapter. The board may not change the district of any land either to a more restrictive or less restrictive zone. (Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 16.03; Ordinance 414-97 adopted 12/16/1997; Ordinance adopting 2024 Code)

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**ARTICLE 14.18**  
**CERTIFICATES OF OCCUPANCY**

**§ 14.18.001. Required.**

(a) Certificates of occupancy shall be required for any of the following:

- (1) Occupancy and use of a building hereafter erected or structurally altered.
- (2) Change in use of an existing building to a use of a different classification.
- (3) Occupancy and use of vacant land, except agricultural use.
- (4) Change in the use of land to a use of a different classification.
- (5) Any change in the use of a nonconforming use.

(b) No such occupancy, use or change of use, shall take place until a certificate of occupancy therefor shall have been issued by the building official.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 17.01; Ordinance 414-97 adopted 12/16/1997)

**§ 14.18.002. Procedure for new or altered buildings.**

(a) Written application for a certificate of occupancy for a new building or for an existing building which is to be altered shall be made at the same time as the application for the building permit for such building. Said certificate shall be issued within three (3) days after a written request for the same has been made to said building official or his agent after the erection or alteration of such building or part thereof has been completed in conformity with the provisions of this chapter.

(b) The building official may, in writing, suspend or revoke a certificate of occupancy, or a temporary certificate of occupancy, whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that there is a violation of any ordinance or regulation or any provision of the Uniform Building Code.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 17.02; Ordinance 414-97 adopted 12/16/1997)

**§ 14.18.003. Contents.**

Every certificate of occupancy shall state that the building or the proposed use of a building or land complies with all provisions of law. A record of all certificates of occupancy shall be kept on file in the office of the building official or his agent and copies shall be furnished on request to any person having priority or tenancy interest in the building or land affected.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 17.03; Ordinance 414-97 adopted 12/16/1997)

**§ 14.18.004. Temporary certificate.**

Pending the issuance of a regular certificate, a temporary certificate of occupancy may be issued by the building official for a period not exceeding six (6) months, during the completion of alterations or during partial occupancy of a building pending its completion. Such temporary certificates shall not be construed as in any way altering the respective rights, duties or obligations, of the owners or of the city relating to the

use or occupancy of the premises or any other matter covered by this chapter.  
(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 17.04; Ordinance 414-97 adopted 12/16/1997)

**§ 14.18.005. Certificates of nonconforming uses.**

A certificate of occupancy shall be required for all lawful nonconforming uses of land or buildings created by adoption of this chapter. Application for such certificate of occupancy for a nonconforming use shall be filed with the building official, by the owner, or lessee of the building or land occupied by such nonconforming use within one (1) year of the effective date of this chapter. It shall be the duty of the building official to issue a certificate of occupancy for a lawful nonconforming use, but failure to apply for such certificate of occupancy for a nonconforming use shall be evidence that said nonconforming use was either illegal or did not lawfully exist at the effective date of this chapter.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 17.05; Ordinance 414-97 adopted 12/16/1997)

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**ARTICLE 14.19  
COMPLIANCE WITH REGULATIONS**

**§ 14.19.001. Compliance with regulations.**

Except as herein provided:

- (1) No land shall be used except for a purpose permitted in the district in which it is located.
- (2) No building shall be erected, converted, enlarged, reconstructed, moved, or structurally altered, nor shall any building be used, except for a use permitted in the district in which such building is located.
- (3) No building shall be erected, converted, enlarged, reconstructed, moved, or structurally altered to exceed the height limit herein established for the district in which such building is located.
- (4) No building shall be erected, converted, enlarged, reconstructed, moved, or structurally altered except in conformity with the area regulations of the district in which such building is located.
- (5) No building shall be erected or structurally altered to the extent specifically provided herein except in conformity with the off-street parking and loading regulations provided herein for the use for which the building is intended.
- (6) The minimum yards, parking spaces, and open areas, including lot area per dwelling unit, required by this chapter for each and every building existing at the time of passage of this chapter or for any building hereafter erected, shall not be encroached upon or considered as part of the yard or parking space or open space required for any other building, nor shall any lot area be reduced below the requirements of this chapter for the district in which such lot is located.
- (7) Every building hereafter erected or structurally altered shall be located on a building lot as herein defined, and except as specifically provided herein, there shall not be more than one main building on one lot.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 18.00; Ordinance 414-97 adopted 12/16/1997)

**ARTICLE 14.20**  
**SCHEDULE OF FEES AND EXPENSES**

**§ 14.20.001. Schedule of fees and expenses.**

- (a) The city council shall establish a schedule of fees and expenses, and a collection procedure for building permits, certificates of occupancy, appeals, and other matters pertaining to this chapter. The schedule shall be posted in the office of the city manager, and may be altered or amended only by the city council.
- (b) No application for a zoning change will be accepted and scheduled for processing until the application fee established by city council and on file in the offices of the city has been paid.
- (c) No permit, certificate, special exception, or variance shall be issued unless and until such costs, charges, fees, or expenses listed below have been paid in full or waived by the city council, nor shall any action be taken on proceedings before the board of adjustments unless or until preliminary charges and fees have been paid in full or waived by the city council.
- (d) The applicant shall pay any and all costs in excess of ordinary administration expenses incurred by the city in addition to the schedule of fees and charges established by city council and on file in the offices of the city.
- (e) If an applicant feels that special circumstances justify a request for a waiver of any or all of the above fees, such may be requested by making an application with the city council for a waiver of such costs. (Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 19.00; Ordinance 360-94 adopted 4/19/1994; Ordinance 414-97 adopted 12/16/1997; Ordinance adopting 2017 Code)

**ARTICLE 14.21  
AMENDMENTS****§ 14.21.001. Authority.**

Under the provisions of V.T.C.A., Local Government Code, chapter 211, the city council may from time to time amend, supplement, or change by ordinance the boundaries to the districts or the regulations herein established.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 20.01; Ordinance 414-97 adopted 12/16/1997)

**§ 14.21.002. Submission to planning and zoning commission.**

Before taking any action on any proposed amendment, supplement, or change in this chapter, the city council shall submit the proposed revision to the planning and zoning commission for its review, recommendation, and report.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 20.02; Ordinance 414-97 adopted 12/16/1997)

**§ 14.21.003. Public hearings.**

(a) A public hearing shall be held by the planning and zoning commission before recommendations to city council concerning adopting any proposed amendment, supplement, or change to this chapter. Written notice of all public hearings before the planning and zoning commission on proposed changes in classification shall be sent to owners of real property lying within two hundred (200) feet of the property on which the change is proposed, not less than ten (10) days before the date set for such hearing.

(b) Notice of the city council public hearing shall be given by publication one (1) time in a newspaper of general circulation in the city, stating the time and place of such hearing, which time shall not be earlier than fifteen (15) days from the first date of publication.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 20.03; Ordinance 414-97 adopted 12/16/1997)

**§ 14.21.004. In case of protests.**

In the case that such amendment, supplement, or change has been disapproved by the planning and zoning commission, or in a case of a protest signed by the owners of twenty (20) percent or more either of the area of the lots included in the proposed change, or of those immediately adjoining the same such change shall not become effective except by the favorable vote of three-fourths (3/4) of all the members of the city council.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 20.04; Ordinance 414-97 adopted 12/16/1997)

**§ 14.21.005. Limitation on resubmission of petition.**

No amendment, supplement, change, or repeal of any section of this chapter which has been legally rejected by the city council shall be again considered either by the planning and zoning commission or the city council on an appeal or petition by an appellant or application before the expiration of one (1) year from date of the original action.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 20.05; Ordinance 414-97 adopted

12/16/1997)

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**ARTICLE 14.22**  
**VIOLATION AND PENALTIES**

**§ 14.22.001. Violation and penalties.**

Except where otherwise provided in this chapter, any person who shall violate any of the provisions of this chapter or who shall fail to comply therewith or with any of the requirements thereof, or who shall erect or alter any building or who shall commence to erect or alter any building in violation of any detailed statement or plan submitted or approved thereunder, shall for each and every violation or noncompliance be deemed guilty of a misdemeanor and shall be fined not more than two thousand dollars (\$2,000.00), or the maximum allowed by Texas state law. Each day such violation shall be permitted to exist shall be construed to constitute a separate offense. The owner of that building or premises or part thereof where anything in violation of this chapter shall be placed or shall exist, and any architect, builder, contractor, agency or corporation employed in connection therewith who may have assisted in the commission of any such violation shall be guilty of a separate offense and upon conviction shall be subject to the penalties herein provided.

(Ordinance 335-93 adopted 2/16/1993; 1993 Code, ch. 12, ex. A, sec. 21.00; Ordinance 414-97 adopted 12/16/1997; Ordinance adopting 2024 Code)

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